

**WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE RECORDS ADMINISTRATOR**

**Chapter 5A, Article 8  
Series 8  
(2004)**

**Subject: Regulations of the West Virginia State Records Administrator**

**Section 1.01 Statutory Authority**

This manual of Procedures containing the rules, regulations and policies of the State Records Administrator is hereby promulgated in accordance with Chapter 5A Article 8 Section 8 of the West Virginia code of 1931, as amended.

**Section 1.02 Effective Date**

These regulations were promulgated on July 1, 2005, and to become effective August 1, 2005.

**Section 1.04 Purpose**

The purpose of this manual is to establish the Records Management Program policies, definitions and procedures to be followed and used by each executive agency and its subordinate offices.

**Section 1.05 Definitions**

Accession Number- A number assigned by the Administrator to identify each shipment of records to the State Records Center.

Active Record- Records maintained by the agency.

Administrator- Director of the Information Communications and Information designated by the Cabinet Secretary of the West Virginia Department of Administration.

Agency- Any department, office, commission, board or other unit, however designated, of the executive branch of state government and all subordinate offices statewide.

Code- The West Virginia Code of 1931 as amended.

Essential Records- Those records which would permit the continuity of government and/or protect the residual rights of the citizens in case of disaster.

### **Section 1.05, Definitions (Continued)**

State Record- A record of a department, office, commission, board or other agency, however designated, of the state government. A record of the state legislature. A record of any court of record, whether of statewide or local jurisdiction. Any record designated or treated as a state record under the law.

State Records Center- The low cost storage facility for the housing and servicing of inactive records whose reference does not warrant their retention in expensive office space and equipment.

### **Section 1.06a, Duties records Administrator**

Secure the benefits available through efficient and economical management practices and techniques by the establishment of standards, procedures, studies, surveys, and retention and disposal schedules. Obtain required reports from each agency for analysis, collation and submission to the Governor.

Provide Forms Management assistance to the agencies regarding forms design, forms implementation, procedural analysis, and forms procurement.

Review the agencies' request for procurement of filing equipment and/or supplies and justification to determine need for such filing equipment and supplies in relation to their mission and management of records.

Seek assistance of the State Archivist, as required, in determining whether or not a record has archival value.

Coordinate the transfer of all records of archival value from the agency to the Department of Archives and History.

### **Sub-Section 1.06b, Duties, Executive Agency Chief Officer**

Establish and maintain an active, continuing program for the economical and efficient management of the records of the agency and their subordinate offices.

Make and maintain records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency designed to furnish information to protect the legal and financial rights of the state, and of persons directly affected by the agency's activities.

Submit to the Administrator, Form WV-26, Records Retention Authorization, proposing the length of time each state record series warrants retention for administrative, legal, fiscal or historical purposes after it has been received or created by the agency.

## **Section 1.05, Definitions (Continued)**

**Filing Equipment-** Equipment, regardless of size, used for the storing of records: e.g., filing cabinets, mechanical shelving, open-shelving, rotary card files, map files, cardex files, blueprint files, etc.

**Inactive Record-** Records which are infrequently required in the conduct of current administrative work and are retired to the State Records Center.

**Local Record-** A record of a county, city, town, authority or any public corporation or political entity whether organized and existing under charter or under general law unless the record is designated or treated as a state record under state law.

**Non-Record-** Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of processed documents.

**Preservation Duplicate-** A copy of an essential state record used for reference purposes thereby preserving the records and/or to provide for continuity of government.

**Record-** A document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business.

**Records Manager-** An employee appointed by the agency's chief executive officer to act as liaison with the Administrator and delegated the authority and responsibility for the agency's Records Management Program.

**Records Retention Authorization-** The Administrator's approval of agency's recommended retention of a record series.

**Record Series-** A group of identical or related records which are normally used and filed as a unit, and which permit evaluation as a unit for retention scheduling purposes. This may be one particular report or record; e.g., Monthly Attendance Report.

**Retention and Disposal Schedule-** A schedule of established retention periods for the records of an executive agency.

**Retention Period-** Period of time during which records must be held before they may be legally disposed. The retention period is usually stated in terms of months or years, but sometimes is contingent upon the occurrence of an event; e.g., employee termination and contract expiration. The retention period includes the life span of each record from creation to final disposition; e.g., Active 1 year, store Records Center 3 years, destroy; Active 2 years, Destroy.