

## 13. Monitoring and Compliance

The function of monitoring entails systematic, periodic reviews to ensure quality products, performance, and the accomplishment of objectives. Compliance ensures that people and organizations meet all obligations and comply with regulations, which may be accomplished through the promulgation and communication of policy guidance to outside entities regarding state and federal regulations.

NOTE: For the enforcement of criminal laws against individuals and organizations, see LAW ENFORCEMENT.

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An index for the entire functional schedule is available on the functional schedule documents page at <https://archives.ncdcr.gov/documents/functional-schedule-state-agencies>.

Many monitoring records are iterative in nature, such as routine inspections (RC No. 1332). Similarly, most licenses and permits (RC No. 1325) have renewals scheduled at regular intervals. What differentiates these records from those in some other functions of State government is that they tend to be case files, or a collection of documents related to a particular licensee or entity. In some cases, the trigger for destruction begins with the expiration of a license, while in the case of lifetime licenses, the records can be destroyed upon the death of the licensee. Due to these intricacies, careful thought should be given to how the records are organized so that their appropriate disposition can be facilitated. For instance, case files for renewable licenses should probably be grouped by date of expiration and then filed alphabetically.

Many of these records contain personal identifying information about individuals or trade secrets of businesses, so great care should be taken to maintain the confidentiality of these records. Many of these confidentiality provisions are codified separately, so they are listed in the appendix. When these monitoring and compliance records contain information that could impact the greater public, they are designated as archival records; examples include environmental impact statements (RC No. 1323) and permits for radioactive waste and solid waste sites (RC No. 1325).

These functional schedules apply to records in all media, unless otherwise specified. The State Archives of North Carolina recommends that agencies develop a file plan that documents the owners of record copies, internal definitions of reference value, and record formats. Information about the NC Public Records Act, confidentiality, destructions, audits and litigation actions, and electronic records can be found in the overview to the functional scheduling initiative. (These documents are available on the state agency records management documents page at <https://archives.ncdcr.gov/documents/state-agency-rm>.) A key for the functional schedule along with definitions of important records management terms can be found in the glossary to this schedule.





### 13.1 Accountability and Oversight

*DEFINED: Activities related to efforts to justify actions and decisions and to the supervision of other agencies, entities, or individuals. Includes compliance audits, operational audits, recordkeeping audits, skills audits, and quality assurance audits, which may be internal or external audits and may be conducted by the agency or by a third-party.*

*SEE ALSO: Research conducted for the purposes of internal usage or publication is under AGENCY MANAGEMENT. Administrative rules are under GOVERNANCE. Employee complaints regarding discrimination and equal opportunity (EO) violations are under HUMAN RESOURCES. Constituent service requests are under PUBLIC RELATIONS.*

13.1




RC No.	Record Types	Description	Disposition Instructions	Citation
1311.2 <sub>1</sub> 	Assistance Records	records documenting guidance regarding standards, protocols, and scope of practice provided by the agency to contractors and providers, intended to prevent compliance problems; also includes any variances granted	RETAIN UNTIL: Complete PLUS: 2 years THEN: Destroy	<u>Confidentiality</u> see appendix
1311.2 <sub>2</sub>	SEE ALSO: Constituent Comments, Complaints, and Petitions (PUBLIC RELATIONS); Administrative Code (GOVERNANCE)	requirements or directives promulgated by the agency for the conduct of a business or activity	RETAIN UNTIL: Superseded/Obsolete PLUS: 2 years THEN: Destroy	
1311.10		records submitted by insurance companies providing notification to or requesting approval of the Department of Insurance for specific transactions; includes forms, correspondence, and other related records	RETAIN UNTIL: Resolution PLUS: 10 years THEN: Destroy	
1312.10 	Audit Planning Records	work papers and other evidence and related supportive materials directly pertaining to audits by the Office of the State Auditor	RETAIN UNTIL: Complete PLUS: 10 years THEN: Destroy	<u>Confidentiality</u> G.S. § 143-748  <u>Retention</u> G.S. § 147-64.6(d)

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

∞ See appendix for list of item numbers for records that should transfer to the State Archives.

Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.



RC No.	Record Types	Description	Disposition Instructions	Citation
1313.A	Audit Reports	final reports, including conclusions or recommendations, created by the Office of the State Auditor in the conduct of financial, performance, investigative, or information system audits	PERMANENT (archival) ∞	
1313.P		final reports, including conclusions or recommendations, related to internal compliance or operational audits, hazardous material, or those that document a significant change in agency practices or have significant administrative value	PERMANENT (appraisal required) ∞	
1313.10		final reports, including conclusions or recommendations related to internal accounting systems and controls, administrative systems and controls, information technology systems and controls, skills, or those with limited administrative value	RETAIN UNTIL: Complete PLUS: 10 years THEN: Destroy	<u>Authority</u> G.S. § 143-746  <u>Retention</u> G.S. § 143-748
1313.S 		work papers and other evidence and related supportive material directly pertaining to the work of the internal auditor's office	RETAIN UNTIL: Superseded/Obsolete THEN: Destroy	<u>Confidentiality</u> G.S. § 143-748
1313.6 		tax audits conducted by the Department of Revenue on the International Fuel Tax Association, Inc. (IFTA) and the International Registration Plan, Inc. (IRP)	RETAIN UNTIL: Complete PLUS: 6 years THEN: Destroy*	<u>Confidentiality</u> G.S. § 105-259(b)
1313.4 		remaining tax audits conducted by the Department of Revenue	RETAIN UNTIL: Complete PLUS: 4 years THEN: Destroy*	<u>Confidentiality</u> G.S. § 105-259(b)

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

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RC No.	Record Types	Description	Disposition Instructions	Citation
1314.2	Consultant, Contractor, Provider, and Vendor Due Diligence Records  SEE ALSO: Contracts (LEGAL); Discrimination Complaint	records documenting the evaluation of consultants, contractors, providers, and vendors with whom the agency conducts business; includes financial stability, information security risk assessments, and other related records	RETAIN UNTIL: Contract expires PLUS: 2 years THEN: Destroy	
1314.1	Investigations (LEGAL); Grants Management (FINANCIAL MANAGEMENT)	records documenting the vetting of contractors and vendors with whom the agency considers conducting business but does not award a contract	RETAIN UNTIL: Complete PLUS: 1 year THEN: Destroy	
1315.2	Corrective Measures	records documenting agency actions to address concerns raised by an audit or complaint	RETAIN UNTIL: Effective PLUS: 2 years THEN: Destroy	
1316.3	Improper Conduct Investigations  SEE ALSO: Investigation and Hearing Records; Grievances (HUMAN RESOURCES)  SEE ALSO: Ombudsmen (GOVERNANCE)	records concerning investigations triggered by questions about ethics or conduct within an agency, such as whistleblower reports or allegations of fraud; includes complaints, reports, investigations, and other related records  ombudsman records regarding complaints against the agency, contractors, or providers; includes investigation reports, responses, and other related records	RETAIN UNTIL: Resolution PLUS: 3 years THEN: Destroy*	
1317.S	Rates and Standards	records concerning tests conducted to establish official samples, weights and measures, and other standards; also includes rate setting documentation	RETAIN UNTIL: Superseded/Obsolete THEN: Destroy	
1317.P	(continued on following page)	reports of calibration by the Department of Agriculture and Consumer Services indicating the value of the State's standard in relation to the corresponding national standard	PERMANENT	

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

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RC No.	Record Types	Description	Disposition Instructions	Citation
1317.20	Rates and Standards (cont.)	records concerning quasi-judicial hearings and rulings by the Commissioner of Insurance regarding rate filings; includes official court records, dockets, pleadings, testimony, transcripts, and other related records	RETAIN UNTIL: Resolution PLUS: 20 years Ω THEN: Destroy*	
1318.T 	State Auditor Hotline	investigations by the Office of the State Auditor that substantiate allegations received regarding improper governmental conduct, violation of State or federal law, or dangers posed to public health and safety	RETAIN UNTIL: Determination THEN: Transfer to Audit Reports  <i>NOTE: Pursuant to G.S. § 147-64.6B(b), when the Auditor believes that an allegation of improper governmental activity is outside the authority set forth in G.S. § 147-64.6, the Auditor shall refer the allegation to the appropriate State agency responsible for the enforcement or administration of the matter for investigation.</i>	<u>Confidentiality</u> G.S. § 147-64.6B(a)
1318.4 		allegations of improper governmental activities that the Office of the State Auditor finds unsubstantiated	RETAIN UNTIL: Receipt PLUS: 4 years THEN: Destroy	<u>Confidentiality</u> G.S. § 147-64.6B(a)  <u>Retention</u> G.S. § 147-64.6B(c)

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### 13.2 Authorizing and Licensing

*DEFINED: Activities granting formal permission to carry on some business, operation, project, or activity. Includes accreditation, licenses, permits, registrations, and other authorizations.*

 *NOTE: In some cases, licensing records include Social Security numbers or other personal identifying information; in such cases, comply with G.S. § 132-1.10 and 5 USC 552a regarding the confidentiality of this information.*

*SEE ALSO: The coursework that is required to obtain or renew a professional or recreational license is included under EDUCATION. The accounting records for fees and payments to Recovery Funds are under FINANCIAL MANAGEMENT. Any accreditation records on this schedule are related to accreditation granted by the agency **to other entities**; accreditation records required for State agencies to carry out their work are included on the AGENCY MANAGEMENT schedule. Annual reports written by agencies are under AGENCY MANAGEMENT, while annual reports submitted to agencies by entities seeking to gain or maintain licensing are under Licenses and Permits. Permits to use State property are under ASSET MANAGEMENT. Disciplinary actions for agency personnel are under HUMAN RESOURCES.*






RC No.	Record Types	Description	Disposition Instructions	Citation
1321.5	Bonds and Collateral Securities	guaranty bonds, surety bonds, and any other collateral securities required for licensing or performance of service	RETAIN UNTIL: Expiration or cancellation PLUS: 5 years THEN: Destroy	
1322.2 	Denied Licenses and Permits	records concerning individuals or entities whose initial application is denied; includes reports, decisions, correspondence, and other related records	RETAIN UNTIL: Expiration of application period PLUS: 2 years THEN: Destroy	<u>Confidentiality</u> see appendix
1323.P	Environmental Impact Statements (EIS)	records documenting the effects of proposed activities by a contractor or provider on the environment	PERMANENT (appraisal required) ∞	
1324.1	Incomplete or Withdrawn Applications  (continued on following page)	applications that are not completed within the window of time provided by the agency or that are withdrawn from consideration	RETAIN UNTIL: Expiration of application period or withdrawal PLUS: 1 year THEN: Destroy	

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

∞ See appendix for list of item numbers for records that should transfer to the State Archives.

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RC No.	Record Types	Description	Disposition Instructions	Citation
1324.<	Incomplete or Withdrawn Applications (cont.)	applications begun in an online portal but never submitted	RETAIN UNTIL: Last activity PLUS: 90 days THEN: Destroy	
1325.3 <sub>1</sub> 	Licenses and Permits	records concerning accreditations, licenses, registrations, and permits that must be renewed; includes applications, correspondence, examination score reports and continuing education credentials, reports, authorizations, audits, waivers, and other related records	RETAIN UNTIL: Expiration or renewal PLUS: 3 years THEN: Destroy	<u>Confidentiality</u> see appendix
1325.R 		examinations and background checks related to renewable accreditations, licenses, registrations, and permits	RETAIN UNTIL: Reference value ends THEN: Destroy Agency Policy: _____	
1325.3 <sub>2</sub> 		records concerning one-time authorizations	RETAIN UNTIL: Expiration PLUS: 3 years THEN: Destroy	
1325.1 		records concerning lifetime or perpetual authorizations	RETAIN UNTIL: Resignation from license, death of holder, or dissolution of entity PLUS: 1 year THEN: Destroy	
1325.6		records concerning authorizations of capital improvement projects	RETAIN UNTIL: Completion of project PLUS: 6 years THEN: Destroy*	
1325.10 	(continued on following page)	source documentation collected by the Division of Motor Vehicles in order to issue Real ID cards	RETAIN UNTIL: Received PLUS: 10 years THEN: Destroy	<u>Retention</u> 6 CFR 37.31



\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

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RC No.	Record Types	Description	Disposition Instructions	Citation
1325.75 	Licenses and Permits (cont.)	records concerning lifetime professional licenses; also includes Certificate of Need documentation for healthcare facilities	RETAIN UNTIL: Received PLUS: 75 years Ω THEN: Destroy	
1325.A 		records concerning authorizations that impact the general public, including those for radioactive waste and solid waste sites as well as those for corporations	PERMANENT (archival) ∞	
1325.P		records concerning oil or gas well drilling, completion, production, and plugging transferred by the permittee to the State Geologist	PERMANENT	<u>Retention</u> 15A NCAC 05H .0202
1325.50		records compiled by the Department of Health and Human Services concerning the use and removal of asbestos; includes National Emissions Standards for Hazardous Air Pollutants (NESHAP) permits as well as notifications, inspection reports, enforcement actions, and other related records	RETAIN UNTIL: Received PLUS: 50 years Ω THEN: Destroy	
1325.22		records compiled by the Department of Health and Human Services concerning certification for lead abatement and lead renovation work; includes permits, notifications, inspection reports, enforcement actions, and other related records	RETAIN UNTIL: Received PLUS: 22 years Ω THEN: Destroy	
1326.S	Registries	listings of entities and individuals authorized to engage in a particular occupation or activity; includes applications, evaluations, and other related records necessary to generate the registry	RETAIN UNTIL: Superseded/Obsolete THEN: Destroy	

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RC No.	Record Types	Description	Disposition Instructions	Citation
1327.5 <sub>1</sub>	Registrations	records concerning products, brands, etc., registered with the Department of Agriculture and Consumer Services	RETAIN UNTIL: Expiration/ Cancellation PLUS: 5 years THEN: Destroy	
1327.5 <sub>2</sub> 		records concerning manufacturers and other entities required to register with the Department of Health and Human Services	RETAIN UNTIL: Expiration/ Cancellation PLUS: 5 years THEN: Destroy	<u>Authority/</u> <u>Confidentiality</u> G.S. § 130A-309.138
1327.5 <sub>3</sub> 		records concerning taxpayer registration with the Department of Revenue; includes applications, correspondence, and other related records	RETAIN UNTIL: Expiration/ Cancellation PLUS: 5 years THEN: Destroy	<u>Confidentiality</u> G.S. § 105-259(b)
1327.A		records concerning registrations with the Department of the Secretary of State; includes trademarks, labels, and designs as well as an index of lobbyists, lobbyist principals, solicitors, and state and local government liaisons	PERMANENT (archival) ∞	
1328.50 	Revoked Licenses and Permits	records concerning individuals or entities whose license, permit, or other authorization is revoked for cause; includes reports, decisions, correspondence, and other related records	RETAIN UNTIL: Revocation PLUS: 50 years THEN: Destroy	<u>Confidentiality</u> see appendix
1328.1 		records concerning licenses or permits revoked due to clerical error; also includes records of revocations that are lifted due to an exoneration of the cause for revocation	RETAIN UNTIL: Revocation PLUS: 1 year THEN: Destroy	
1329.S	Training Certifications	agency certifications of training opportunities to be provided by outside entities	RETAIN UNTIL: Superseded/Obsolete THEN: Destroy	

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### 13.3 Enforcement

*DEFINED: Activities related to assuring adherence to rules and regulations.*

*SEE ALSO: Investigations by law enforcement officers are under LAW ENFORCEMENT. RISK MANAGEMENT includes health and safety inspections conducted by the Department of Insurance. Accounting records for penalties and assessments as well as monitoring records for grant recipients are under FINANCIAL MANAGEMENT. Administrative rules are under GOVERNANCE. Hearings conducted by the Office of Administrative Hearings, the NC Industrial Commission, and agencies governed by G.S. § 150B Article 3A are under LEGAL. Surveys from the general public are under PUBLIC RELATIONS, and surveys from employees are under HUMAN RESOURCES. Evaluations of Historically Underutilized Businesses are under ECONOMIC DEVELOPMENT. Records documenting the incidence of certain diseases are under HEALTHCARE. Cultural and Natural Resource Protection Records are under ASSET MANAGEMENT.*

13.3





RC No.	Record Types	Description	Disposition Instructions	Citation
1331.6 	Controlled Substances Reporting System	records accumulated by the Department of Health and Human Services concerning prescriptions for all Schedule II through V controlled substances	RETAIN UNTIL: Received PLUS: 6 years THEN: Destroy	<u>Authority</u> G.S. § 90-113.73  <u>Confidentiality</u> G.S. § 90-113.74(a)  <u>Retention</u> G.S. § 90-113.74(f)
1332.A	Evaluations and Inspections	records of monitoring and inspections that have value for documenting patterns	PERMANENT (archival) ∞	
1332.3 	SEE ALSO: Inspections (RISK MANAGEMENT)	records documenting routine, random, and requested evaluations and inspections; includes interviews, evidence, reports, examinations, notices of violations, audits, recommendations, correspondence, and other related records; also includes samples testing	RETAIN UNTIL: Complete PLUS: 3 years THEN: Destroy	<u>Confidentiality</u> see appendix

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

∞ See appendix for list of item numbers for records that should transfer to the State Archives.

Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.





RC No.	Record Types	Description	Disposition Instructions	Citation
1333.3 	Investigation and Hearing Records  SEE ALSO: Improper Conduct Investigations; Law Enforcement Case Records (LAW ENFORCEMENT); Legal Case Records, OAH Case Records, Other Administrative Hearings (LEGAL)	records concerning complaints, fraud allegations, contestments, grievances, and inquiries against individuals and other entities; includes summaries, charges, reports, assessments and findings, hearing transcripts and evidence, decisions and sanctions, referrals, correspondence, and other related records	RETAIN UNTIL: Complete PLUS: 3 years THEN: Destroy	<u>Confidentiality</u> see appendix
1333.50 		records concerning complaints against the conduct, character, or fitness of elected or appointed officials that are investigated by an external entity; includes statements, correspondence, recommendations, and other related records; also includes cases that result in discipline by the North Carolina State Bar Disciplinary Hearing Commission or by the courts or disbarment by the Council of the North Carolina State Bar	RETAIN UNTIL: Complete PLUS: 50 years Ω THEN: Destroy	<u>Confidentiality</u> see appendix
1333.10 <sub>1</sub> 		final fraud investigative reports and reports of other examinations, investigations, surveys, and reviews issued under the authority of the Director of the Retirement Systems Division at the Department of State Treasurer	RETAIN UNTIL: Complete PLUS: 10 years THEN: Destroy	<u>Confidentiality</u> G.S. § 128-28(s), (t) G.S. § 135-6(r), (s)
1333.S 	(continued on following page)	work papers for fraud investigations by the Department of State Treasurer	RETAIN UNTIL: Superseded/Obsolete THEN: Destroy	<u>Retention</u> G.S. 128-28(s) G.S. 135-6(r)

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

∞ See appendix for list of item numbers for records that should transfer to the State Archives.

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RC No.	Record Types	Description	Disposition Instructions	Citation
1333.10 <sub>2</sub> 	Investigation and Hearing Records (cont.)	preadmission screening resident review (PASRR) records generated by the Department of Health and Human Services; includes evaluation forms, testing materials, correspondence, and other related records; also includes hearings, provider appeals, and second level reviews	RETAIN UNTIL: Complete PLUS: 10 years Ω THEN: Destroy	<u>Confidentiality</u> G.S. § 8-53 G.S. § 130A-12 45 CFR 164.502
1333.75 		records concerning rate cases heard by the North Carolina Utilities Commission; includes applications, orders, transcripts, exhibits, complaints, and other related records	RETAIN UNTIL: Complete PLUS: 75 years Ω THEN: Destroy	<u>Confidentiality</u> G.S. § 132-1.2
1334.3	Monitoring Surveys and Reports  SEE ALSO: Contractor, Provider, and Vendor Due Diligence Records (above); Grants Management (FINANCIAL MANAGEMENT); External Surveys (PUBLIC RELATIONS); Employee Suggestions and Surveys (HUMAN RESOURCES); Health Monitoring Programs (HEALTHCARE)	records concerning the monitoring of individuals, entities, and processes	RETAIN UNTIL: Complete PLUS: 3 years THEN: Destroy	
		records concerning the monitoring of environmental conditions; includes monitoring of air, land, water, and other natural resources	RETAIN UNTIL: Complete PLUS: 3 years THEN: Destroy	

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

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Ω See appendix for list of item numbers for records that are temporarily stored at the State Records Center prior to destruction.

RC No.	Record Types	Description	Disposition Instructions	Citation
1335.1	Unsubstantiated Complaints  SEE ALSO: Investigation and Hearing Records (above); Constituent Comments, Complaints, and Petitions (PUBLIC RELATIONS)	includes complaints received about licensees and permittees that do not necessitate an investigation	RETAIN UNTIL: Received PLUS: 1 year THEN: Destroy	

13.3

\* No destruction of records may take place if audits or litigation are pending or reasonably anticipated.

∞ See appendix for list of item numbers for records that should transfer to the State Archives.

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## Records That Will Transfer to the State Records Center

**1313.A Audit Reports:** Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.

Appendix

Agency	Series Title	Item Number
Office of the State Auditor	Financial Audit Reports	260
	Performance Audit Reports	9548

**1313.P Audit Reports:** Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.

Agency	Series Title	Item Number
North Carolina Board of Nursing	Audit Reports File	21055

**1317.20 Rates and Standards:** Transfer to the State Records Center 10 years after case closes. Records will be held for agency 10 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Insurance	Automobile Insurance Filing File	49383
	Homeowner Insurance Filing File	49384

**1323.P Environmental Impact Statements:** Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.

Agency	Series Title	Item Number
Department of Administration	State Environmental Review Clearinghouse Environmental Impact Statements	117
Department of Natural and Cultural Resources	County Environmental Review File	1050
	Environmental Review File	814

The RC No. listed beside each Record Type is found on the functional schedule; the Item Number is a tracking number that is used only for records that are stored at the State Records Center.



Indicates records are electronic and will transfer immediately to the custody of the State Archives



**1325.75 Licenses and Permits:** Transfer records to the State Records Center after 6 months. Records will be held for agency 75 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Health and Human Services	Certificate of Need Approved Projects File	41117
North Carolina Board of Dietetics/Nutrition	License File	50375
North Carolina Board of Nursing	Licensed Practical Nurses Individual Applications File	3334
	Registered Nurses Individual Applications for Licensure File	3333
North Carolina State Bar	Bar Member License File	20946

Appendix

**1325.A Licenses and Permits:** Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.

Agency	Series Title	Item Number
Department of Commerce	Credit Union Charters and Amendments File	365
	Credit Union Organization File <sup>1</sup>	4064
Department of Environmental Quality	Animal Waste Permit File	46012
	Coastal Development Major Permits File	3191
	Known and Potential Contaminated Sites	47905
	Scrap Tires Sites Cleanup Program File	36379
	Septage Land Application Site and Detention and Treatment Facility Permits File	36352
	Solid Waste Facilities File	8102
	Solid Waste Facilities Post-Closure File	36343
	Solid Waste Non-Permitted File	8101
	State Cleanup Funds Reimbursement File	34051
Department of Health and Human Services	Active Radioactive Materials Licenses	7581
	Decommissioned Radioactive Waste Sites	50366
	Terminated Radioactive Materials Licenses	1750
	Terminated Reciprocal Recognition File	35908

<sup>1</sup> Transfer paper records of active organizations to the State Records Center after 1 year to be scanned. The digital images will be converted to 16mm microfilm for permanent storage in the security vault. A copy of the digital images and microfilm will be purchased by the agency. The paper records and digital images will be returned to the agency after scanning.



The RC No. listed beside each Record Type is found on the functional schedule; the Item Number is a tracking number that is used only for records that are stored at the State Records Center.



Indicates records are electronic and will transfer immediately to the custody of the State Archives





Agency	Series Title	Item Number
Department of the Secretary of State	Business Entities Registry	15629 
	Withdrawn/Dissolved/Revoked Business Entities	2909 
Office of the Commissioner of Banks	Bank Charters and Amendments File	336

Appendix

**1325.50 Licenses and Permits:** Transfer records to the State Records Center after 3 years. Records will be held for agency 47 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Health and Human Services	Asbestos Accreditations File	8314
	Asbestos/National Emissions Standards for Hazardous Air Pollutants (NESHAP) Inspections and Enforcements File	17384
	Asbestos Waste Shipment Records (WSR)	50865
	Health Hazards Control Permits File	4060

**1325.22 Licenses and Permits:** Transfer records to the State Records Center after 3 years. Records will be held for agency 19 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Health and Human Services	Lead Abatement Firm Records	50866
	Lead Abatement Individual Records	50867
	Lead Enforcement Actions	50868
	Lead Permits	50869
	Lead Renovation Firm Records	50870
	Lead Renovation Individual Records	50871

The RC No. listed beside each Record Type is found on the functional schedule; the Item Number is a tracking number that is used only for records that are stored at the State Records Center.



Indicates records are electronic and will transfer immediately to the custody of the State Archives



**1327.A Registrations:** Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.

Agency	Series Title	Item Number
Department of the Secretary of State	Inactive Mark Certifications	2889
	Lobbying Compliance Registration Index File	41954

Appendix

**1332.A Long-Term Inspections:** Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.

Agency	Series Title	Item Number
Department of Environmental Quality	Air Quality Enforcement Actions File	17370
	Air Quality Self-Monitoring File	17382
	Annual, Quarterly, and Monthly Groundwater Monitoring Reports File	49583
	Annual, Quarterly, and Monthly Non-Discharge Reports File	35674
	Groundwater Pollution Incidents File	25681
	Groundwater Research Station File	49408
	Injection Well Permits File	17398
	Oil and Hazardous Waste Materials Spills Investigation File	17594
	Ozone Precursor Hydrocarbon Data File	40555
	Prevention of Significant Deterioration and Self-Monitoring Ambient Monitoring File	17360
	Regional Offices Air Quality File	17117 24948 24975 25321 25441 25479
	Water Quality Enforcement Actions File	33931
	Well Abandonment File	47425
	Well Records File	2644

The RC No. listed beside each Record Type is found on the functional schedule; the Item Number is a tracking number that is used only for records that are stored at the State Records Center.



Indicates records are electronic and will transfer immediately to the custody of the State Archives



Agency	Series Title	Item Number
Department of Labor	Boiler Safety Bureau Accidents File	27213
	Growers File	31458
	Imperial Foods Hamlet Fire Records	35332
	Occupational Safety and Health Inspections Cases File	46018

**1333.50 Investigation and Hearing Records:** Transfer to the State Records Center after 5 years. Records will be held for agency 45 additional years and then destroyed.

Agency	Series Title	Item Number
North Carolina State Ethics Commission	Ethics Commission Rulings File	21538
Judicial Standards Commission	Dismissed After Formal Investigation File	50546
	Dismissed Without Formal Investigation File	50545
North Carolina State Bar	Staff Attorney Working Disciplinary File	48087
	State Bar Disciplinary Hearing Commission File	20948

**1333.10 Investigation and Hearing Records:** Transfer to the State Records Center after 2 years. Records will be held for agency 8 additional years and then destroyed.

Agency	Series Title	Item Number
Department of Health and Human Services	Division of Medical Assistance Hearing Appeals File	48347
	Preadmission Screening Annual Review Mental Health File	43506

The RC No. listed beside each Record Type is found on the functional schedule; the Item Number is a tracking number that is used only for records that are stored at the State Records Center.



Indicates records are electronic and will transfer immediately to the custody of the State Archives




**1333.75 Investigation and Hearing Records:** Transfer to the State Records Center 2 years after closing. Records will be held for agency 73 additional years and then destroyed.

Agency	Series Title	Item Number
North Carolina Utilities Commission	Confidential Dockets File	12696
	Inactive Dockets (Other) File	12669
	Inactive Dockets (Rate Cases) File	560

Appendix

The RC No. listed beside each Record Type is found on the functional schedule; the Item Number is a tracking number that is used only for records that are stored at the State Records Center.

 Indicates records are electronic and will transfer immediately to the custody of the State Archives



## Confidentiality Provisions for Specific Agencies

## 1311: Assistance Records

Appendix

NC State Bar	27 NCAC 01D.0103(b)
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## 13.2 Authorizing and Licensing

- **1322: Denied License and Permits**
- **1324: Incomplete or Withdrawn Applications**
- **1325: Licenses and Permits**
- **1328: Revoked Licenses and Permits**

Department of Agriculture and Consumer Services	G.S. § 106-579.11
Department of Environmental Quality	G.S. § 113-170.3 G.S. § 143B-289.52(h)
Department of Health and Human Services	G.S. § 130A-304
Department of Public Safety	G.S. § 74C-8(g), G.S. § 74C-8.1
Department of the Secretary of State	G.S. § 10B-7(b) and -106(d)
Department of Transportation	G.S. § 20-7(b2), G.S. § 20-7(e), G.S. § 20-17.1(e), 5 USC § 552a
NC Cemetery Commission	G.S. § 65-54.1
NC Office of the Commissioner of Banks	G.S. § 53-244-050(i), G.S. § 53-334(b), G.S. § 53-348(c), G.S. § 53C-2-7(b), G.S. § 53C-10-103(c), G.S. § 53C-10-202(d)
NC State Bar	G.S. § 84-24 27 NCAC 01D .1720
Occupational Licensing Boards	G.S. § 93B-8 G.S. § 93B-14

Please note: The listing of a confidentiality citation does not indicate that all information within the particular record type is confidential. Please read the relevant statutes and consult your General Counsel for any necessary clarification.

**1332: Evaluations and Inspections**

Department of Environmental Quality	G.S. § 143-215.3C G.S. § 143-215.80
Department of Health and Human Services	G.S. § 130A-12 G.S. § 130A-15(b)
NC Office of the Commissioner of Banks	G.S. § 53-208.59 G.S. § 53C-2-7(b), G.S. § 53C-4-12(b)

Appendix

**1333: Investigation Records (NOTE: Records from hearings are open to inspection unless they are held under seal.)**

Department of Environmental Quality	G.S. § 143-215.9D G.S. § 143-215.80
Department of Health and Human Services	G.S. § 8-53 G.S. § 122C-52 G.S. § 130A-12 G.S. § 130A-15(b) G.S. § 130A-33.60 45 CFR 164.502
Department of the Secretary of State	G.S. § 55-1-33 G.S. § 55A-1-33 G.S. § 57D-1-33 G.S. § 78A-45(b1) and -50(c) G.S. § 78C-26(b1), -31(c) G.S. § 78D-21
Judicial Standards Commission	G.S. § 7A-377
NC Cemetery Commission	G.S. § 65-54.1
NC Office of the Commissioner of Banks	G.S. § 53-244-120, G.S. § 53-361(b), G.S. § 53-364(b) G.S. § 53C-2-1(c), G.S. § 53C-2-7(b), G.S. § 53C-8-8, G.S. § 53C-9-3-1(b)

Please note: The listing of a confidentiality citation does not indicate that all information within the particular record type is confidential. Please read the relevant statutes and consult your General Counsel for any necessary clarification.

NC State Bar	G.S. § 84-32.1, G.S. § 132-1.1, G.S. § 132-1.4(a), G.S. § 132-1.9, G.S. § 143-318.10(e), G.S. § 143-318.11(a)(3), G.S. § 143-318.18(6) 27 NCAC 01B .0133
State Board of Refrigeration Examiners	G.S. § 87-59(e)
State Licensing Board for General Contractors	G.S. § 87-15.3

Appendix

### Authority Provisions for Specific Agencies

#### 1326: Registries

Department of Health and Human Services	42 CFR 483.156
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## Glossary

### Glossary

### Audit

The Society of American Archivists *Glossary of Archival and Records Terminology* defines an audit as “an independent review and examination of records and activities to test for compliance with established policies or standards, often with recommendations for changes in controls or procedures.”<sup>1</sup> The North Carolina Office of the State Auditor defines three types of audits that can be performed for state agencies<sup>2</sup>:

- Financial Statement Audits that “determine whether an agency’s financial statements are fairly presented”
- Performance/Financial Related Audits that “provide independent and objective appraisals of agency management practices and operational results”
- Information Systems Audits that “evaluate risks relevant to information systems assets and assess controls in place to reduce or mitigate these risks”

Many state agencies also have an internal auditor’s office that is responsible for assessing whether agency employees, units, and business operations are in compliance with applicable federal and state laws and regulations, as well as agency policies and procedures. Some agencies are also responsible for auditing work of external organizations, including consultants and subrecipients. Agencies in receipt of funding from outside sources may be subject to audits to verify the appropriate expenditure of these funds. Audits may be performed on a routine recurring basis; they also may be prompted by concerns reported to the State Auditor’s Hotline.

### Historical Value

The term historical value is used interchangeably with archival value. The Society of American Archivists *Glossary of Archival and Records Terminology* defines it as “the importance or usefulness of records that justifies their continued preservation because of the enduring administrative, legal, fiscal, or evidential information they contain.”<sup>3</sup> Two criteria for determining historical value are inherent interest and extraordinary documentation:

- Inherent interest is created by non-routine events, by the involvement of famous parties, and by compelling contexts. For instance, foreclosure proceedings from the 1930s have high historical value because they date from the era of the Great Depression.
- Extraordinary documentation is found in records that shed light on political, public, or social history. For instance, the records from the replevin case that returned the Bill of Rights to North Carolina hold more historical value than most property case files because of the political history intertwined with this case.

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<sup>1</sup> Richard Pearce-Moses, *A Glossary of Archival and Records Terminology* (2005)

<sup>2</sup> <https://www.ncauditor.net/pub42/TypesOfAudits.aspx>

<sup>3</sup> *A Glossary of Archival and Records Terminology*





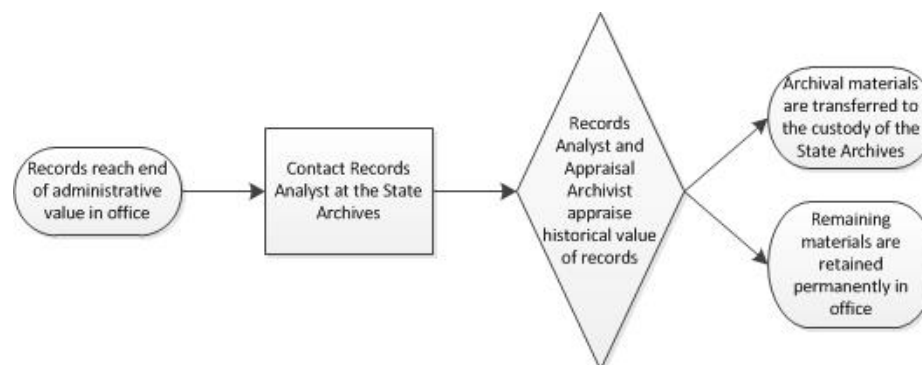
The State Archives of North Carolina (SANC) has further elaborated selection criteria that help distinguish records with archival value:

- Do they protect the rights and property of citizens?
- Do they have a long-term impact on citizens?
- Do they document the core functions of an agency?
- Do they document high-level decision-making that shapes an agency's policies or initiatives?
- Do they summarize an agency's activities?

Glossary

Records with historical value are identified with one of three designations in the Disposition Instructions:

- **PERMANENT:** These records will be retained in office permanently.
- **PERMANENT (appraisal required):** When these records no longer have administrative value in office, the agency will contact the Government Records Section so the records can be appraised by a records analyst and an appraisal archivist. These individuals will determine whether the records should be retained in office permanently or transferred to the custody of the State Archives of North Carolina.
- **PERMANENT (archival):** These records will transfer to the State Records Center so they can be transferred to the custody of the State Archives of North Carolina.



## Record Copy

A record copy is defined as “the single copy of a document, often the original, that is designated as the official copy for reference and preservation.”<sup>4</sup> The record copy is the one whose retention and disposition is mandated by these functional schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention period. To facilitate this process, SANC has provided a sample file plan for agency use (available on the state agency records management page at

<sup>4</sup> Ibid.



<https://archives.ncdcr.gov/documents/state-agency-rm>). In identified cases where records overlap between state agencies, SANC has specified on the schedules which agency is considered the record owner.

### Record Custody

The agency that creates or receives a record is the legal custodian of that record and responsibility for fulfilling any retention requirements and public records requests. If an agency transfers records to the State Records Center for temporary storage prior to destruction, those records remain in the legal custody of the originating agency. Any records requests must be authorized by the originating agency, and ultimate destruction must also be authorized by that agency. If an agency transfers archival records to the State Records Center, once those records have been accessioned by the State Archives, their legal custody transfers to the State Archives. From that point forward, all records requests should be channeled through the State Archives. In a few instances, records transfer to the State Records Center to be held in permanent security storage (indicated by a © on the functional schedule); in these cases, the records remain in the legal custody of the originating agency.

### Reference Value

The disposition instruction to destroy in office when reference value ends is usually applied to records that were not created by the recipient. Reference files include materials that have no regulatory authority for the recipient and are received from outside the agency or from other units within the agency; subject files containing informational copies of records organized by areas of interest; and reference copies of records where another individual or agency is responsible for maintaining the record copy. The agency is given the discretion to determine how long these records should be retained before destruction, and this decision should be documented in a file plan or other policy so that all members of the agency can be consistent in their handling of these records.

### Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”<sup>5</sup> North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called “transitory records.” They may be disposed of according to the guidance below. However, all public employees should be familiar with the *Functional Schedule for North Carolina State Agencies* and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from the analyst assigned to your agency.

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<sup>5</sup> Ibid.



Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

[Glossary](#)

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of General Statute § 132, but many of them have minimal value after the final version of the record has been approved and may be destroyed after final approval if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, as long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they should be retained according to the disposition instructions for the records series encompassing the forms’ function.



## Key



– symbol designating that records in this series may be confidential or may include confidential information

RC No. – a unique identifying number assigned to each record type for ease of reference

Function No.	Sub-function No.	Record Type No.	Retention Abbreviation
15	4	5	A

The example above indicates the numbering scheme for Speeches (1545.A):

- Public Relations is the 15th function
- Marketing and Publicity is the 4th sub-function under Public Relations
- Speeches are the 5th record type under Marketing and Publicity
- Retention abbreviations provide a quick method of identifying the retention requirement for a particular record:

A	transfer to the State Archives
P	retain in office permanently or contact the State Archives for appraisal
R	destroy in office when reference value ends ( <i>NOTE: Agencies must establish internal policies to ensure consistency in retention and destructions.</i> )
S	destroy in office when superseded or obsolete
T	transfer completed record to another record series
<	retention period shorter than 1 year
	any numerical designation indicates the number of years the record should be retained

Record Types – groupings of records that are “created, received, or used in the same activity.”<sup>1</sup>

Description – a description of the records, often including the types of records that can be frequently found in that series

Disposition Instructions – instructions dictating the length of time a series must be retained, and how the office should dispose of those records after that time (either by destruction or transfer to the State Archives). For any records that will transfer to the State Records

<sup>1</sup> Richard Pearce-Moses, *A Glossary of Archival and Records Terminology* (2005)



Center, either for temporary storage or for transfer to the State Archives, consult the Appendix for the item number that is necessary to track these records. **Note:** No destruction of records may take place if litigation or audits are pending or reasonably anticipated.

This border on the right and left of the Description and Disposition Instruction cells indicates a record that belongs to a particular agency, as identified in the Description. If other agencies possess copies of this record, they are reference copies that can be discarded when their reference value ends.

Key

Citation – a listing of references to statutes, laws, and codes related to the records series. Citations can include Authorities (governing the creation of records), Confidentiality (limiting access to public records), and Retention (setting a retention period).

- CFR = citation from the Code of Federal Regulations
- G.S. = citation from the North Carolina General Statutes
- USC = citation from the United States Code

The Disposition Instructions include a number of triggers that begin the retention period:

- Adoption of plan: With a record such as a strategic plan, the retention period begins as soon as the plan is adopted by the governing body.
- Closed: With a record such as an investigation, the retention period begins once the case is closed.
- Complete: With a record such as a report, the retention period begins once the report has been finalized.
- Execution of plan: With a record such as a business plan, the retention period begins once the plan has been carried out.
- Reference value ends: Once the content of a record is no longer useful or significant, it can be destroyed. This disposition is usually applied to records that were not created by the agency.
- Service ends: With a record relating to an elected or appointed office, the retention period begins once the term of service ends.
- Superseded or Obsolete: With any record that is produced in versions, an older version can be destroyed when the new version is received.

Several symbols are used within the disposition instructions:

- ∞ archival records that should transfer to the State Archives for permanent retention
- ⚡ archival records that will transfer to the State Archives in an electronic format
- Ω records that transfer to the State Records Center for temporary storage before destruction
- © records that transfer to the State Records Center for permanent security storage