

State of Florida

GENERAL RECORDS SCHEDULE GS15 FOR PUBLIC LIBRARIES



EFFECTIVE: June 2023

Rule 1B-24.003(1)(l), *Florida Administrative Code*

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GENERAL RECORDS SCHEDULE GENERAL INFORMATION AND INSTRUCTIONS

FOREWORD

The **general records schedules** established by the Department of State are intended for use by state, county, city and special district public records custodians. If you are unsure of your organization's status as a "public agency," consult your legal counsel and/or the Florida Attorney General's Office for a legal opinion. The Department of State publishes the following general records schedules:

GS1-SL	State and Local Government Agencies
GS2	Criminal Justice Agencies and District Medical Examiners
GS3	Election Records
GS4	Public Hospitals, Health Care Facilities and Medical Providers
GS5	Public Universities and Colleges
GS7	Public Schools Pre-K-12 and Adult and Career Education
GS8	Fire Departments
GS11	Clerks of Court
GS12	Property Appraisers
GS13	Tax Collectors
GS14	Public Utilities
GS15	Public Libraries

All Florida public agencies are eligible to use the GS1-SL, which provides retention periods for the most common administrative records, such as routine correspondence and personnel, payroll, financial and legal records. General records schedules GS2 through GS15 are applicable to program records of specific functional areas, such as elections administration, tax collecting or law enforcement, each of which has unique program responsibilities and thus unique records retention requirements. The GS2 through GS15 should be used in conjunction with the GS1-SL to cover as many administrative and program records as possible.

The retention periods set forth in the general records schedules are based on federal and state laws and regulations, general administrative practices and fiscal management principles. Please note that these are **minimum** retention periods; public agencies may retain their records longer at their discretion. In fact, certain accreditation committees may have standards that require longer retention periods. Contact your accrediting organization for more information on their requirements. In addition, federal, state or local laws and regulations regarding recordkeeping and records retention for specific agencies or specific types of records might require a longer retention than indicated in this general schedule. Agencies should be aware of all laws and regulations relating to their records and recordkeeping requirements. However, remember that a public agency is **not** permitted to **reduce** the retention periods stated in a general records schedule.

For additional information on records retention and disposition, please refer to *Managing Florida's Public Records* handbook, which, along with all Florida general records schedules, is available on the Department of State's Records Management website at info.florida.gov/records-management/.

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I. STATUTORY AUTHORITY

This general records schedule is issued by the Department of State's Division of Library and Information Services in accordance with the statutory provisions of Chapters 119 and 257, *Florida Statutes*.

Chapter 119, *Florida Statutes*, defines the terms "public records," "custodian of public records" and "agency," as well as the fundamental process by which disposition of public records is authorized under law.

Chapter 257, *Florida Statutes*, establishes the Florida State Archives and the Records and Information Management Program under the direction of the Division of Library and Information Services and specifically provides for a system for the scheduling and disposition of public records. Chapter 257 also authorizes the Division to establish and coordinate standards, procedures and techniques for efficient and economical records creation and recordkeeping, and it requires all agencies to appoint a Records Management Liaison Officer (RMLO).

I. DETERMINING RETENTION REQUIREMENTS

In determining public records retention requirements, four values must be considered to ensure that the records will fulfill their reason for creation and maintenance: administrative, legal, fiscal and historical. These four values have been evaluated in depth to determine the retention requirements of the records listed in this general records schedule.

There are two particular financial factors that may impact the retention period of an agency's records:

- A. Audits - The term "audit" is defined by Section 11.45, *Florida Statutes*, as encompassing financial, operational and performance audits. The Florida Auditor General's Office describes these audits as follows:
 1. Financial audit means an examination of financial statements in order to express an opinion on the fairness with which they are presented in conformity with generally accepted accounting principles and an examination to determine whether operations are properly conducted in accordance with legal and regulatory requirements. Financial audits must be conducted in accordance with auditing standards generally accepted in the United States and government auditing standards as adopted by the Florida Board of Accountancy. Audit requirements for state financial assistance provided by State of Florida agencies to nonstate entities are established by the Florida Single Audit Act, Section 215.97, *Florida Statutes*. When applicable, the scope of financial audits shall encompass the additional activities necessary to establish compliance with the Single Audit Act Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other applicable federal laws.
 2. Operational audit means an audit conducted to evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste and abuse, and in administering assigned responsibilities in accordance with applicable laws, administrative rules, contracts, grant agreements and other guidelines. Operational audits must be conducted in accordance with government auditing standards. Such audits examine internal controls that are designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of financial records and reports, and safeguarding of assets, and identify weaknesses in those internal controls.
 3. Performance audit means an examination of a program, activity or function of a governmental entity conducted in accordance with applicable government auditing standards or auditing and evaluation standards of other appropriate authoritative bodies. The term includes an examination of issues related to a number of defined criteria.

The Records Management Program does not track or maintain information on which audits apply to which records in which agencies. Different agencies are subject to different types of audits at different times, and each agency is responsible for knowing what audits might be conducted and retaining needed records for that purpose. For instance, some agencies might be subject to the Federal Single Audit Act, while others are not. In general, any records relating to finances or financial transactions might be subject to audit.

Audits may be conducted by the Florida Auditor General, independent public accountants, or other state or federal auditors, as well as grant funding agencies and national or statewide professional accreditation or certification groups. Your finance office, your legal office and the Auditor General's Office are good sources of information regarding which specific records your agency should retain for audit purposes.

Because conceivably any record in any agency might be required for audit, we are no longer including the “provided applicable audits have been released” language on selected retention items. Each agency is responsible for ensuring that any and all auditable records are maintained for as long as necessary to meet that agency’s audit requirements.

- B. Grants - Any public agency receiving local, state or federal grant money will need to be familiar with grantor agency requirements.

II. SCHEDULING AND DISPOSITION OF PUBLIC RECORDS

The procedures for scheduling and disposition of public records, which are applicable to all public agencies, consist of two separate but related actions:

- A. Establishing a Records Retention Schedule - A retention schedule describing the records and setting the minimum retention period is required for each record series. A record series, as defined in Rule 1B-24, *Florida Administrative Code*, is “a group of related public records arranged under a single filing arrangement or kept together as a unit (physically or intellectually) because they consist of the same form, relate to the same subject or function, result from the same activity, document a specific type of transaction, or have some other relationship arising from their creation, receipt, or use.” Examples of series that agencies might maintain are Personnel Files, Client Case Files, Project Research Files, Equipment Maintenance and Repair Records, and Procurement Files. Each record series might contain records in a variety of forms and formats that collectively document a particular program, function or activity of the agency.

The records retention schedule officially establishes the *minimum* length of time that the record series must be retained. **This retention applies to the agency’s record (master) copy of the records - those public records specifically designated by the custodian as the official record. The retention period for duplicates – copies of records that are not the official record of an agency – is always “Retain until obsolete, superseded, or administrative value is lost” (“OSA”) unless otherwise specified. Therefore, we are no longer including the OSA retention statement for duplicates in each retention item.**

- 1. **General records schedules** establish retention requirements for records documenting administrative and program functions common to several or all government agencies, such as personnel, accounting, purchasing and general administration. General records schedules can cover a significant proportion of an agency’s record series. The *General Records Schedule GS1-SL for State and Local Government Agencies* can be used by all state and local agencies in determining their records retention requirements.

Certain agencies can use other general records schedules in conjunction with the GS1-SL. For example, along with using the GS1-SL, public universities and colleges should use the *GS5 for Public Universities and Colleges* for program records unique to their functions and activities. Similarly, along with using the GS1-SL, State Attorneys should

use the *GS2 for Criminal Justice Agencies and Medical Examiners* and property appraisers should use the *GS12 for Property Appraisers*. Please see the Forward for a complete list of general records schedules, and contact the Records Management Program to verify which general records schedules are appropriate for use by your agency.

If a similar record series is listed in two general record schedules, the schedule with the longer retention requirement shall take precedence.

REMEMBER: The retention period stated in the applicable schedule is the **minimum** time a record must be maintained. If two or more record series are filed together, the combined file must be retained through the longest retention period of those records.

2. **Individual records schedules** establish retention requirements for records that are unique to particular agencies. These schedules are used for records that are not in a general schedule. Individual records schedules may **only** be used by the agency for which they were established.

To establish an individual records schedule, an agency must submit a Request for Records Retention Schedule, Form LS5E105REff.2-09, to the Records Management Program for review and approval. This "105" form is available on the Records Management website at info.florida.gov/records-management/forms-and-publications/.

Records become eligible for disposition action once they have met the retention requirements specified in an established retention schedule and any other applicable requirements (e.g., litigation). The individual schedule remains effective until there is a change in series content or until other factors are introduced that would affect the retention period, at which time a new individual records retention schedule should be submitted for approval. If a new general records schedule is later established that requires an equal or longer retention period for the same records, that general records schedule supersedes the individual records schedule. If you have an individual schedule that requires a longer retention, contact the Records Management Program for guidance.

- B. Final Disposition of Public Records - Section 257.36(6), *Florida Statutes*, states that "A public record may be destroyed or otherwise disposed of only in accordance with retention schedules established by the division." This means that all records, regardless of access provisions, must be scheduled before disposition can occur (see Sections 119.07-119.0714, *Florida Statutes*, regarding access provisions). Agencies must identify an appropriate general records schedule or individual records schedule for any records being disposed of. If an appropriate retention schedule for the records does not exist, one must be established by following the procedures listed above for individual records schedules.

Agencies must maintain internal **records disposition documentation**, including retention schedule number, retention schedule item number (including, when needed, the suffix 'a' for the record copy or 'b' for duplicates), record series title, inclusive dates, volume in cubic feet of physical records destroyed (for electronic records, record the number of bytes and/or records and/or files if known, or indicate that the disposed records were in electronic form), disposition action (manner of disposition) and date. A form titled *Records Disposition Document*, which is recommended for use in documenting records disposition, is available on the Records Management website at info.florida.gov/records-management/forms-and-publications/. Agencies must maintain this documentation as a permanent record but should **not** submit it to the Records Management Program for review or approval.

III. DISTINGUISHING BETWEEN THE DIFFERENT TYPES OF RETENTION PERIOD REQUIREMENTS

When trying to determine when records are eligible for disposition, agencies must be aware of the different types of retention requirements. For instance, records with a retention of “3 anniversary years” will have a different eligibility date from records with a retention of “3 fiscal years” or “3 calendar years.”

A. Anniversary Year - from a specific date

Example: 3 anniversary years

If a record series has a retention of “3 anniversary years,” the eligibility date would be 3 years after the ending date of the series.

B. Calendar Year - January 1 through December 31

Example: 3 calendar years

If a record series has a retention of “3 calendar years,” the eligibility date would be 3 years after the end of the calendar year of the last record in the series.

C. Fiscal Year - depends on agency type

- State government agencies, school districts - July 1 through June 30
- Local government agencies - October 1 through September 30

Example: 3 fiscal years

If a record series has a retention of “3 fiscal years,” the eligibility date would be 3 years after the end of the fiscal year of the last record in the series.

D. Months or Days

Examples: 6 months; 90 days

If a record series has a retention of “6 months,” the eligibility date would be 6 months after the ending date of the record series.

If a record series has a retention of “90 days,” the eligibility date would be 90 days after the ending date of the record series.

E. Retain until obsolete, superseded, or administrative value is lost (OSA)

With this retention, a record is eligible for disposition whenever it is no longer of any use or value to the agency or when it has been replaced by a more current record. The retention could vary from less than one day to any length of time thereafter.

F. Triggering Event

With this retention, records become eligible for disposition upon or after a specific triggering event.

Examples:

Retain until **youth turns age 25**.

Retain for **life of the structure**.

3 anniversary years **after final action**.

Example: Calculating Eligibility Dates

If the **ending date** for a specific record series is **7/31/2017**, when are these records eligible for disposition under different retention period types?

Retention Period	Start Counting From	Add # of Years	Retain Through
3 anniversary years	7/31/2017	+3	= 7/31/2020
3 fiscal years (local govt.)	9/30/2017	+3	= 9/30/2020
3 fiscal years (school district)	6/30/2018	+3	= 6/30/2021
3 calendar years	12/31/2017	+3	= 12/31/2020

IV. ARCHIVAL VALUE

- A. **State Agencies** - The State Archives of Florida identifies records having enduring historic, administrative or fiscal value that may be eligible for permanent preservation. If a record series description indicates that the records “**may have archival value**,” the state agency must contact the State Archives of Florida for archival review before disposition of the records. The RMLO or other agency representative should contact the Archives by telephone at 850.245.6750 or by email at recmgt@dos.fl.gov. The Archives will provide guidance for the transfer of the records to the State Archives or other appropriate disposition of the records. For records indicating both a **Permanent** retention **and** possible archival value, agencies should contact the State Archives after five years for archival review and guidance as to whether, when and how to transfer the records to the Archives.

- B. **All Other Agencies** - When preparing to dispose of records that have met their required retention, carefully consider the potential historical research value of those records. Some records that do not have a permanent retention still might have enduring value to your community as evidence of the interactions between government and citizens and as sources of information about local government, society and culture. For your convenience, we have indicated that “**This series may have archival value**” for series that are most likely to have such historical or archival value. Not all such records will be determined to be archival; conversely, some records without this statement in the series description might have archival value. Records of historical value to your community should be preserved locally for the benefit of historians and other researchers. Technical assistance in determining archival value is available from State Archives staff at 850.245.6750.

V. ELECTRONIC RECORDS

Records retention schedules apply to records regardless of the format in which they reside. Therefore, records created or maintained in electronic format must be retained in accordance with the minimum retention requirements presented in these schedules. Printouts of standard correspondence are acceptable in place of the electronic files. Printouts of electronic communications (email, instant messaging, text messaging, multimedia messaging, chat messaging, social networking, or any other current or future electronic messaging technology or device) are acceptable in place of the electronic files, **provided that the printed version contains all date/time stamps and routing information**. However, in the event that an agency is involved in or can reasonably anticipate **litigation** on a particular issue, the agency must maintain in native format any and all related and legally discoverable electronic files.

VI. FACTORS THAT MAY INFLUENCE THE DISPOSITION OF RECORDS

- A. Litigation - When a public agency has been notified or can reasonably anticipate that a potential cause of action is pending or underway, that agency should **immediately** place a hold on disposition of **any and all** records related to that cause. Your agency's legal counsel should inform your Records Management Liaison Officer and/or records custodian(s) when that hold can be lifted and when the records are again eligible for disposition.
- B. Public Records Requests - Pursuant to Section 119.07(1)(h), *Florida Statutes*, the custodian of a public record who has made an assertion that a requested record is not a public record subject to public inspection or copying pursuant to Chapter 119, *Florida Statutes*, may not dispose of a record "for a period of 30 days after the date on which a written request to inspect or copy the record was served on or otherwise made to the custodian of public records by the person seeking access to the record. If a civil action is instituted within the 30-day period to enforce the provisions of this section with respect to the requested record, the custodian of public records may not dispose of the record except by order of a court of competent jurisdiction after notice to all affected parties." This 30-day requirement **does not** supersede the established records retention schedule(s). Agencies cannot dispose of records at the end of the 30-day period following a public records request unless disposition is authorized by the applicable retention schedule.
- C. Accreditation Standards - Some public agencies receive national or statewide accreditation or certification by professional societies, organizations and associations. Examples include the Joint Commission on the Accreditation of Healthcare Organizations, the Commission on Accreditation for Law Enforcement Agencies and COLA (formerly the Commission on Office Laboratory Accreditation). In an effort to enhance the professionalism of their members, these groups may place additional requirements on public agencies beyond those mandated under state or federal law. Agencies may therefore choose to maintain their records for a longer period of time than required by established records retention schedules in order to meet accreditation standards.
- D. Records in Support of Financial, Operational or Performance Audits - These records should be retained in accordance with the following guidelines provided by the Florida Office of the Auditor General:

Records must be retained for **at least** three fiscal years (most financial records must be retained for a minimum of five fiscal years in accordance with guidelines of the Department of Financial Services and the Office of the Auditor General). **If subject to the Federal Single Audit Act (pursuant to 2CFR200.501(a)) or other federal audit or reporting requirements, records must be maintained for the longer of the stated retention period or three years after the release date of the applicable Federal Single Audit Act or completion of other federal audit or reporting requirements.** Finally, if any other audit, litigation, claim, negotiation, or other action involving the records has been started before the expiration of the retention period and the disposition of the records, the records must be retained until completion of the action and resolution of all issues arising from it. However, in no case can such records be disposed of before the three fiscal year minimum.

- E. Federal, state or local laws and regulations regarding recordkeeping and records retention for specific agencies or specific types of records might require a longer retention than indicated in this general schedule. Agencies should be aware of all laws and regulations relating to their records and recordkeeping requirements.

VII. REFORMATTING STANDARDS AND REQUIREMENTS

Unless otherwise prohibited by law or rule, the record copy of public records as defined by Section 119.011(12), *Florida Statutes*, may be reformatted to microfilm or electronic form as long as the requirements of Rule 1B-26.003 or 1B-26.0021, *Florida Administrative Code*, are met.

- A. Electronic Recordkeeping is defined in Rule 1B-26.003, *Florida Administrative Code*, which provides standards and guidelines for creation and maintenance of record (master) copies of public records in electronic form.
- B. Microfilm Standards are defined in Rule 1B-26.0021, *Florida Administrative Code*, which provides standards for microfilming of public records to ensure that the film, photography methods, processing, handling and storage are in accordance with methods, procedures and specifications designed to protect and preserve such records on microfilm.

VIII. RECORDS VOLUME CONVERSION TO CUBIC FOOT MEASUREMENTS

Cassette tapes, 200	1.0 cubic foot
Letter-size file drawer	1.5 cubic feet
Legal-size file drawer	2.0 cubic feet
Letter-size 36" shelf	2.0 cubic feet
Legal-size 36" shelf	2.5 cubic feet
Magnetic Tapes, 12	1.0 cubic foot
3 x 5 cards, ten 12" rows	1.0 cubic foot
3 x 5 cards, five 25" rows	1.0 cubic foot
4 x 6 cards, six 12" rows	1.0 cubic foot
5 x 8 cards, four 12" rows	1.0 cubic foot
16mm microfilm, 100 rolls	1.0 cubic foot
35mm microfilm, 50 rolls	1.0 cubic foot
Map case drawer, 2" x 26" x 38"	1.1 cubic feet
Map case drawer, 2" x 38" x 50"	2.2 cubic feet
Roll storage, 2" x 2" x 38"	0.1 cubic foot
Roll storage, 2" x 2" x 50"	0.2 cubic foot
Roll storage, 4" x 4" x 38"	0.3 cubic foot
Roll storage, 4" x 4" x 50"	0.5 cubic foot

(One roll of microfilm contains approximately 1.0 cubic foot of records.)

Cubic foot calculation: (Length" x Width" x Height") ÷ 1,728 = cubic feet

RECORDS RETENTION SCHEDULES

ACQUISITION RECORDS

Item #1

This record series documents the acquisition of library materials including, but not limited to, books, periodicals, software, electronic media and files, video recordings, audio recordings, and other collection materials intended for public use. The records may document such information as the accession date, publisher, vendor, cost, date entered into or removed from the collection, and method of final disposal. See also *General Records Schedule GS1-SL for State and Local Government Agencies*, item #435, FINANCIAL TRANSACTION RECORDS: DETAIL.

RETENTION: 3 fiscal years after disposition of material.

ANNUAL REPORTS

Item #2

This record series consists of annual library reports relating to library statistics on expenditures, circulation, attendance, print and non-print inventory, services and/or programs and other pertinent information. See also item #13, GRANT FILES: LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) and *General Records Schedule GS1-SL for State and Local Government Agencies*, item #245, ANNUAL REPORTS: GOVERNING BODY, and item #124, OPERATIONAL AND STATISTICAL REPORT RECORDS.

RETENTION: 5 fiscal years.

CATALOG RECORDS

Item #3

This record series consists of records identifying and describing books and other materials in library collections.

RETENTION: Retain for life of material.

CIRCULATION RECORDS

Item #4

This record series documents the loan of materials to library users, including records of overdue or delinquent materials. Records may also document on-site use of materials.

RETENTION: Retain until return of circulated item.

EQUIPMENT USE RECORDS

Item #5

This record series documents the loan or use of library equipment by the public and may include, but is not limited to, the loan or use of public access computers or other electronic devices and film, audio and video players and recorders.

RETENTION: Retain until loaned item is returned or administrative value is lost.

FEE/FINE ASSESSMENT RECORDS

Item #6

This record series documents fines assessed for violations of library usage privileges and fees for replacement of library materials. The series may include, but is not limited to, invoices, notification of past dues, and record of payment.

RETENTION: 5 fiscal years after transaction completed.

GRANT FILES: LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA)

Item #13

This record series documents programs and projects funded by Library Services and Technology Act (LSTA) grants. The series may include, but is not limited to, grant applications; notifications of award; contracts; agreements; grant status, narrative, statistical and financial reports; and supporting documentation. For copies of applications not funded, see GS1-SL, item #349, "GRANT FILES: UNFUNDED APPLICATIONS (APPLICANT'S COPIES)."

RETENTION: 5 fiscal years after the end of the applicable long-range plan.

INTERLIBRARY LOAN REQUEST RECORDS

Item #7

This record series consists of records generated by a library to request the loan of books or other materials from another library.

RETENTION: Retain until transaction has been completed.

REFERENCE REQUEST RECORDS

Item #9

This record series documents reference requests submitted by library users.

RETENTION: Retain until obsolete, superseded or administrative value is lost.

USER APPLICATION RECORDS

Item #10

This record series consists of applications to request borrowing privileges from a library. Applications may include the organization or individual's name, address, telephone number, date of birth, and other identifying information. For automated circulation systems the application may only be used to provide information for data input to establish electronic User Registration Records.

RETENTION: Retain until registration process completed or application denied or withdrawn.

USER REGISTRATION RECORDS

Item #12

This record series documents individuals who are registered for library-borrowing or other privileges. Records may provide such information as the individual's name, address, telephone number, date of birth, and other identifying information.

RETENTION: Retain for 30 days after expiration.

CROSS-REFERENCE

PROGRAM REGISTRATION RECORDS

use *General Records Schedule GS1-SL for State and Local Government Agencies*, item #238, PUBLIC
PROGRAM/EVENT RECORDS.

USER APPLICATION: NON-AUTOMATED SYSTEM

use USER REGISTRATION RECORDS

ALPHABETICAL LISTING

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