

<b>Policies of the University of North Texas Health Science Center</b>	<b>Chapter 04 – Administration</b>
<b>04.316 Archives Program</b>	

Policy Statement.

The University of North Texas Health Science Center recognizes, as described in the Texas State Records Management Manual, the statutory responsibility to identify and accession historical records/materials to an archive.

Application of Policy.

This policy applies to anyone who creates or maintains business records that are either required or would be normally maintained in the regular course of business.

Definitions.

None

Procedures and Responsibilities.

Procedure / Duty

Responsible Party

Department head

1. Each business operation, in partnership with Records and Information Management, is responsible for maintaining archived records in a manner as to be identified and retrieved in a timely manner per regulatory, contractual, and business requirements. Each business operation is required to maintain an accurate inventory of records archived. Records are considered archival for two reasons:

- (1) They provide evidence of agency functions, and/or
- (2) They contain information that is of enduring value. The records retention schedule identifies records series eligible for review.

References and Cross-references.

Statutory Requirements

All branches of government at all levels must create certain records to serve as historical documentation of their activities. To identify and maintain these records as part of the archives of the state is the statutory duty of the Texas State Library, Texas Government Code, §441.181.

Section 441.186. Archival State Records are as follows:

- (a) The state archivist, through review of state records retention schedules submitted to the state records administrator under Section 441.185 and other means available under this

section, shall identify and designate which state records are archival state records or which state records of potential archival value shall be subject to the review of the state archivist prior to their destruction.

(b) Records management officers shall submit to the state archivist any information concerning a state record that the state archivist considers necessary to determine the archival value of a record.

(c) The state archivist may inspect any state record to determine if the record is an archival state record and the inspection is not a release of a record to a member of the public under Chapter 552.

(d) Archival state records shall be transferred to the custody of the commission when they are no longer needed for the administration of the state agency unless state law requires that the records remain in the custody of the agency.

(e) If the commission cannot accept immediate custody of an archival state record, the record shall remain in the custody of the state agency and shall be preserved in accordance with this subchapter, rules adopted under this subchapter, and other terms on which the director and librarian and the agency head may agree.

**(f) Instead of transferring archival state records under this section, the components of university systems and other institutions of higher education may retain and preserve the archival state records of the component or institution in accordance with this subchapter and rules adopted under this subchapter if the records are preserved in an archives established in a library or research center directly controlled by the university.**

(g) Except when permitted under state law, an archival state record may not be transferred from one state agency to another without the consent of the director and librarian.

(h) With the approval of the director and librarian, the state archivist may remove the designation of a state record as an archival state record and permit destruction of the record under this subchapter and rules adopted under this subchapter.

(i) In the event of a disagreement between the commission and a state agency over the custody of an archival record, the attorney general shall decide the issue of custody.

(j) In the event of a disagreement between the commission and the attorney general over custody of an archival state record in the possession of the office of the attorney general, the commission may petition a district court in Travis County to decide the issue of custody. On request, the attorney general shall provide the commission with legal counsel to represent the commission in the matter.

**Source:** Added by Acts 1997, 75th Leg., ch. 873, sec. 1, eff. Sept. 1, 1997.

Forms and Tools.

Related Documents

Records Management Manual

\* Records Management Policies

\* Records Management Procedures

\* UNT Health Science Center Records Retention Schedule

Records Management Division Procedures Manual

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