



INTERSTATE COMMISSION FOR
ADULT OFFENDER SUPERVISION

02-2009 - RECORD RETENTION AND DESTRUCTION

POLICY NUMBER

02-2009

ISSUED

August 11, 2009

REVISED

March 20, 2024

Downloaded:

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I. Authority

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

II. Applicability

This Policy applies to all physical and electronic records produced by ICAOS. This policy is not applicable to records or documents produced by member states that are maintained in accordance with policies and procedures established by their respective states.

III. Policy

The policy is to ensure that records and documents produced by the Commission are adequately protected.

IV. Administration

- A. The Executive Director's designee is responsible for the implementation and administration of the record retention schedule shown in Schedule A.
- B. Suspension of Record Disposal In the Event of Litigation or Claims
 - 1. In the event ICAOS becomes party to a court action, a government investigation, or audit the disposal of any and all records and documents shall be suspended until such time as the Executive Director, with the advice of counsel, determines otherwise.
- C. Record Keeping
 - 1. Except in the case of electronic email records noted in Schedule A, whenever an employee disposes of records in accordance with the schedule outlined in Schedule A, the employee shall prepare a written log identifying the records and documents destroyed, the date destroyed and by whom.

SCHEDULE A RECORD RETENTION SCHEDULE (ICAOS)

A. GRANTS

| Record Type | Retention Period |
|---|--|
| Original grant proposal | 5 years after completion of grant period |
| Grant agreement and subsequent modifications | 5 years after completion of grant period |
| All requested IRS/grantee correspondence | 5 years after completion of grant period |
| Final grantee reports, both financial and narrative | 5 years after completion of grant period |
| All evidence of returned grant funds | 5 years after completion of grant period |
| All pertinent formal correspondence | 5 years after completion of grant period |
| Report assessment forms | 5 years after completion of grant period |
| Pre-grant inquiry forms and other documentation for expenditure responsibility grants | 5 years after completion of grant period |
| Grantee work product produced with the grant funds | 5 years after completion of grant period |

B. CONTRACTS

| Record Type | Retention Period |
|--|---|
| Contracts and Related Correspondence (including any proposal that resulted in the contract and all other supportive documentation) | 36 months after expiration or termination |
| Memorandum of Understanding | 36 months after expiration or termination |
| Statements of work for ICOTS | 36 months after completion |
| Hotel vendor contracts | 36 months after contracted dates |

C. Commission RECORDS

| Record Type | Retention Period |
|------------------------------------|------------------|
| Minutes of all Commission Meetings | Permanent |
| Corporate Seals | Permanent |
| Articles of Incorporation | Permanent |
| Commission Rules and Bylaws | Permanent |
| Annual Corporate Reports | Permanent |

D. CORRESPONDENCE AND INTERNAL MEMORANDA

1. Correspondence and internal memoranda pertaining to routine matters and having no significant, lasting consequences should be discarded within two years. Some examples include:
 - Routine letters and notes that require no acknowledgment or followup, such as notes of appreciation, congratulations, letters of transmittal, and plans for meetings.
 - Form letters that require no followup.
 - Letters of general inquiry and replies that complete a cycle of correspondence.
 - Letters or complaints requesting specific action that have no further value after changes are made or action taken (such as name or address change).
 - Other letters of inconsequential subject matter or that definitely close correspondence to which no further reference will be necessary.
 - Chronological correspondence files.
2. Correspondence and memoranda pertaining to nonroutine matters or having significant lasting consequences should generally be retained permanently in the file management system of the national office. Email records meeting the need for permanent retention should be transferred out of email servers for retention in the standard file management system. Some examples include sensitive or confidential correspondence affecting business processes, responsibilities, or standards.

E. ELECTRONIC DOCUMENTS

1. Electronic Mail: shall, unless noted otherwise below, be retained for six months, after which time it can be deleted. Email attachments are to be handled according to topic as set forth in this policy.
 - o Fiscal Correspondence: Includes all information related to revenue and expenses. Fiscal correspondence is retained according to the accounting guidelines set forth in this policy.
 - o General Correspondence: Includes information as it relates to customer/member interaction and operational decisions. General correspondence resulting in a policy decision is retained according to the guidelines set forth in this policy.
 - o Momentary Correspondence: Includes personal email, requests for recommendations and review, carbon copy emails, project development, and status updates. Momentary correspondence can be deleted at will.
2. PDF documents, Spreadsheet, and Word Processing Documents, Spreadsheet, and Word Processing Documents –PDF files are retained based upon the content of the file and the category under the various sections of this policy.
3. Faxed Documents – Fax documents are retained based upon the content of the file and the category under the various sections of this policy.
4. In the event a document is maintained in both paper and electronic form, the official document will be the electronic document.

F. LEGAL FILES AND PAPERS

| Record Type | Retention Period |
|-------------------------|---|
| Legal Advisory Opinions | Permanent |
| Dispute Resolutions | Permanent |
| Mediations | Permanent |
| Bench Book for Judges | Permanent: Current version/revision history |
| Rules | Permanent |
| Litigation Files | Permanent |
| Court Orders | Permanent |

G. MISCELLANEOUS

| Record Type | Retention Period |
|---------------------------------------|-------------------------|
| Commission Policies and Procedures | Permanent |
| Annual Reports | Permanent |
| Inventory Records | 5 Years |
| Training Curriculum and Presentations | 5 Years |
| Training Bulletins (ICAOS and ICOTS) | 5 Years |
| Newsletters (ICAOS and ICOTS) | 5 Years |
| ICOTS Audit Information and Responses | 5 Years |
| Supervised Data Collection | 5 Years |
| Best Practices Documents | 5 Years |
| Self Assessment Audits | 5 Years |
| Surveys | 5 Years |

H. INTERSTATE COMPACT OFFENDER TRACKING SYSTEM (ICOTS)

All offender records and case information entered in ICOTS by member states is the property of the member states and is maintained according to the laws and policies of the member states. ICOTS entries and attachment will not be disposed of without the express written permission of the member state that provided the information. Request for record disposal will be kept permanently.

| Record Type | Retention Period |
|--------------------|-------------------------|
| ICOTS Audits | Permanent |

SCHEDULE B - RECORD RETENTION SCHEDULE

B. INSURANCE RECORDS

| Record Type | Retention Period |
|--|------------------|
| Annual Loss Summaries | 10 years |
| Claims Files (including correspondence, medical records, injury documentation, etc.) | 10 years |
| Insurance Policies | 10 years |

C. PAYROLL DOCUMENTS

| Record Type | Retention Period |
|--|------------------|
| Employee Deduction Authorizations | Permanent |
| Payroll Deductions | Permanent |
| W-2 and W-4 Forms | Permanent |
| Garnishments, Assignments, Attachments | Permanent |
| Labor Distribution Cost Records | 8 years |
| Payroll Registers (gross and net) | 8 years |

C. PERSONNEL DOCUMENTS

| Record Type | Retention Period |
|---|---|
| Job Advertisements | 3 years |
| Background Checks, Credit Reports, & Financial Records | 1 year |
| I-9 & Identification | 3 years after hire or 1 year after separation |
| Employment Offers, Contracts, Handbooks | 1 year |
| Medical Records, Health Insurance Enrollment Accommodation Request, Disability Records | 2 years |
| Payroll Records | 5 years |
| Personnel Annual Reviews | 2 years |
| Personnel Contact Information | 1 year after separation |
| Disciplinary Documents | 2 years and 1 year after separation |
| Personnel Training Plans | 3 years or upon separation |
| Separation Records | 2 years |
| Non-medical Benefit Records | 2 years |
| FMLA Documentation | 3 years |
| Complaint Investigations | Until resolved or otherwise indicated |

D. ACCOUNTING AND FINANCE

| Record Type | Retention Period |
|--|-------------------------|
| Accounts Payable ledgers and schedules | 5 years |
| Accounts Receivable ledgers and schedules | 5 years |
| Audit Reports and Financial Statements | 5 years |
| Audit Records (Including work papers and other documents that relate to the audit) | 5 years |
| Bank Statements and Canceled Checks | 5 years |
| Budget Worksheets, Plans, & Projections | 5 years |
| Invoices | 5 years |
| Expense Reports | 7 years |
| General Ledgers | 5 years |
| Investment Records | 5 years |
| Credit card records | 5 years |
| Depreciation records | 5 years |

E. PROPERTY RECORDS

| Record Type | Retention Period |
|-------------------------------|-------------------------|
| Lease Agreement/Property Deed | 5 years |
| Property Insurance | 10 years |

F. TAX RECORDS

| Record Type | Retention Period |
|--|-------------------------|
| Tax-Exemption Documents and Related Correspondence | Permanent |
| IRS Rulings | Permanent |
| IRS Correspondence | 5 years |
| Excise Tax Records | 5 years |
| Tax Bills, Receipts, and Statements | 5 years |
| Tax Returns - Income, Franchise, Property | 5 years |
| Tax Workpaper Packages – Originals | 5 years |
| Sales/Use Tax Records | 5 years |
| Annual Information Returns - Federal and State | 5 years |
| IRS or other Government Audit Records | 5 years |