

RECORDS RETENTION
SCHEDULE
OFFICE OF THE GENERAL
COUNSEL

REVISED - November 2023



MICHIGAN STATE UNIVERSITY

MICHIGAN STATE UNIVERSITY OFFICE OF THE GENERAL COUNSEL RECORDS RETENTION SCHEDULE:

University Archives and Historical Collections has developed this retention schedule to document the nature of legal records created by the university and define the appropriate retention period according to the legal, fiscal, administrative, and historical needs of the university.

The Office of the General Counsel Records Retention Schedule applies to all legal documentation at Michigan State University, regardless of format or media. For additional information regarding electronic records management, please go to the University Archives website at <http://archives.msu.edu/>.

Not all offices may create all the record series listed on the retention schedule. If you are not currently creating records in a series, you do **NOT** need to start creating new records.

If you believe that you have a record that does not fall under a specific record series, please contact University Archives at 5-2330. University Archives will either help you identify which record series applies to your record or will create a new record series. Do not assume that the record can be destroyed; all records reflecting the official activities of university officers and offices are the property of Michigan State University and thus cannot be destroyed without the approval of the director of the Archives.

Please note that all records pertaining to ongoing or pending audits, lawsuits or even reasonably anticipated lawsuits, and public disclosure proceedings may not be destroyed, damaged, or altered until the issue is resolved, and an office or unit has been specifically advised that such records may be destroyed. Any of these conditions supersedes the retention period listed in the records retention schedule.

NON-RECORDS:

According to State of Michigan guidelines, some records used at Michigan State University can be considered non-records. These non-records are not covered by the retention schedule and may be destroyed once they are no longer administratively necessary.

Non-records may include:

- Duplicate copies of documents retained for distribution or convenience
- Miscellaneous notices of memoranda such as "All-Staff" emails, messages on upcoming events, or memos on minor administrative details
- Blank forms
- Unsolicited advertising and product catalogs
- Preliminary drafts of letters, memoranda or reports that do not form significant stages in the preparation of a final document
- Personal messages or correspondence
- Non-university publications, such as manuals, directories, catalogs, newsletters, pamphlets, and periodicals

Please contact University Archives at 517-355-2330 or at archives@msu.edu with any questions regarding non-records.

DESCRIPTION OF TERMS:

Title: This is the official title of the individual record series.

Description: This is the official description of the individual record series, usually consisting of a general statement of record function, followed by a description of some of the documents that can be found in that record series.

Retention: This is the minimum amount of time that the record series must be kept, also known as a retention period. It typically consists of a retention code plus a date range in years.

For example) Schedule Retention: ACT+3 (Active + 3 years)

The retention code index can be found below.

Retention Code Index:

Retention Code	Retention Period Description
ACT	Active
CLOSE	File is Closed
CR	Creation Date
EV	Event
FY	Fiscal Year
IND	Indefinite
PRM	Permanent

Event Date: This documents the event after which the retention period will be applied. Some retention periods can be applied only after a specific event or date has occurred. For example, External Legal Services Billing Records are retained for 6 years after the end of the current fiscal year. Thus, the end of the current fiscal year is the event date from which the retention period is measured.

Disposition: This is a statement that describes how long the document must be kept and how it must be destroyed. Many university records contain confidential information, such as social security numbers; thus, University Archives recommends confidential destruction, i.e. shredding, whenever possible to protect personal information. Records on electronic media must be disposed of in accordance with the [Institutional Data Policy](#) and the university's [Best Practices for Disposing of Computers and Storage Devices](#).

Office of Record: This field identifies the office that is responsible for maintaining the official record series. The designated office keeps the record for the entire retention period and then arranges for its destruction once the retention period has passed. Other offices which maintain copies of a record series but are not the office of record may destroy those non-records when they are no longer administratively necessary unless otherwise noted in the schedule.

Data Sourced From: This field identifies the data sources for the record series, including electronic systems where related data may be stored. If there is no relevant data source for the record series, the field will be considered “not applicable”.

Notes: This may document additional notes about the retention series, legal citations affecting retention, or university best practices regarding the records.

Series Identifier: This is an Archives generated code used to help identify and track records series. While primarily used internally, offices may refer to the series identifier to distinguish records series if desired.

ADDITIONAL GUIDANCE:

For any questions, concerns, or additional guidance regarding this retention schedule, please contact University Archives at 517-355-2330 or at archives@msu.edu .

Draft Revised: 8/11/2017

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Schedule Approved: 5/29/2018

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Schedule Approved: 6

Michigan State University

General Counsel

Schedule Title	Annual Litigation Report
Schedule Description	This record series documents the annual litigation report which is sent to the President and the Board of Trustees. This series may include, but is not limited to: reports and other related correspondence.
Schedule Retention	Permanent
Event Date	Creation
Disposition	Retain permanently in office.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system.
Series Identifier	GC001

Schedule Title	Bankruptcy Litigation Files
Schedule Description	This record series documents the Office of the General Counsel's work in regards to bankruptcy litigation. This record series may include, but is not limited to: memos and other related documentation.
Schedule Retention	Close of File + 10 Years
Event Date	File is Closed
Disposition	Retain in office for 10 years after the file is closed, then review for institutional significance. If not institutionally significant, then proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system. Records determined to be institutionally significant may be retained in office as needed.
Series Identifier	GC002

Schedule Title	Budget Records, General Fund Accounting
Schedule Description	This record series documents the budget and accounting for general funds in use by the Office of the General Counsel. These documents are copies of official records maintained in KFS. This record series may include, but is not limited to: accounting sheets, reports, budgets, and other related documentation.
Schedule Retention	Fiscal Year + 2 Years
Event Date	Fiscal Year
Disposition	Retain 2 years after the end of the fiscal year, then proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Not Applicable
Notes	Retention based on University best practices. Official financial records are maintained in KFS.
Series Identifier	GC003

Schedule Title	Civil Rights Actions and Complaints
Schedule Description	This record series documents the Office of the General Counsel's response to civil rights actions and complaints, including potential litigation. These files may include, but is not limited to: complaints, memos, and other related documentation.
Schedule Retention	Close of File + 10 Years
Event Date	File is Closed
Disposition	Retain in office for 10 years after the file is closed, then review. See the Notes field for review instructions.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system. Files related to deceased complainants or those who have not worked for the University for 7 years may be destroyed after the initial 10 year period. All other files should be retained for an additional 10 year period.
Series Identifier	GC004

Schedule Title	External Legal Services Billing Records
Schedule Description	This record series documents the external provision of legal services, including billing records for accounts GU100004 and DR100003. This record series may include, but is not limited to: bills, invoices, ledgers, and other related documentation.
Schedule Retention	Fiscal Year + 6 Years
Event Date	Fiscal Year
Disposition	Retain 6 years after the end of the fiscal year, then proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Not Applicable
Notes	Retention based on University best practices. These documents are official records not maintained elsewhere.
Series Identifier	GC006

Schedule Title	Litigation Files
Schedule Description	This record series documents litigation by the Office of the General Counsel on behalf of the university. This series may include, but is not limited to: correspondence, memos, and other related documentation.
Schedule Retention	Close of File + 10 Years
Event Date	File is Closed
Disposition	Retain for 10 years in office after file is closed, then review for institutional significance. If not institutionally significant, then proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system. Records determined to be institutionally significant may be retained in office as needed.
Series Identifier	GC007

Schedule Title	Non-Litigation Advice Files, Affiliation Agreements
Schedule Description	This record series documents non-litigation advice the Office of the General Counsel may provide in relation to affiliation agreements. These files may include, but is not limited to: agreements, memos, and other related documentation.
Schedule Retention	Event + 3 Years
Event Date	Review of Agreement is Completed
Disposition	Retain for 3 years after review of agreement is completed, then review for institutional significance. If not institutionally significant, then proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system. Records determined to be institutionally significant may be retained in office as needed.
Series Identifier	GC008

Schedule Title	Non-Litigation Advice Files, Contracts
Schedule Description	This record series documents non-litigation advice the Office of the General Counsel may provide in relation to contracts. These files may include, but is not limited to: contracts, memos, and other related documentation.
Schedule Retention	Event + 10 Years
Event Date	Review of Contract is Complete
Disposition	Retain for 10 years in office after review of contract is complete, then review for institutional significance. If not institutionally significant, proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system. Records determined to be institutionally significant may be retained in office as needed.
Series Identifier	GC009

Schedule Title	Non-Litigation Advice Files, General Advice with no MSU Institutional Significance
Schedule Description	This record series documents non-litigation advice the Office of the General Counsel may provide in relation to general advice requests. These files may include, but is not limited to: requests, memos, and other related documentation.
Schedule Retention	Close of File + 10 Years
Event Date	Close of File
Disposition	Retain for 10 years after the close of the file then proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system.
Series Identifier	GC010

Schedule Title	Potential Litigation Files
Schedule Description	This record series documents potential litigation files that may be handled by the Office of the General Counsel. This record series may include, but is not limited to: correspondence, memos, and other related documentation.
Schedule Retention	Close of File + 5 Years
Event Date	File is Closed
Disposition	Retain for 5 years in office after file is closed, then review for institutional significance. If not institutionally significant, proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system.
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system. Records that are determined to be institutionally significant may be retained in office as needed.
Series Identifier	GC011

Schedule Title	Settlement Agreements
Schedule Description	This record series documents settlement agreements reached by the Office of the General Counsel. This record series includes, but is not limited to: agreements, memos, and other related documentation.
Schedule Retention	Close of File + 10 Years
Event Date	Creation
Disposition	Retain for 10 years after the file is closed, then review for institutional significance. If not institutionally significant, proceed with confidential destruction
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system.
Series Identifier	GC012

Schedule Title	Subpoenas
Schedule Description	This record series documents subpoenas received by the Office of the General Counsel. This record series may include, but is not limited to: subpoenas and other related documentation.
Schedule Retention	Creation + 3 Years
Event Date	Creation
Disposition	Retain for 3 years after creation, then proceed with confidential destruction.
Office of Record	Office of the General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system.
Series Identifier	GC013

Schedule Title	Non-Litigation Advice Files with MSU Institutional Significance
Schedule Description	This record series documents advice the Office of the General Counsel may provide in relation to general advice requests as it relates to MSU matters. These files may include, but is not limited to: requests, memos, and other related documentation.
Schedule Retention	Indefinite
Event Date	Creation
Disposition	Retain indefinitely in electronic form. Records may be reviewed for institutional significance when migrating to a new document storage system.
Office of Record	Office of General Counsel
Data Sourced From	Electronic filing system
Notes	Retention based on University best practices. The official record copy will be kept in electronic form in the electronic filing system.
Series Identifier	GC014

Schedule Title	Endowment, Trust, and Will Documentation
Schedule Description	This record series documents the official legal documents regarding trusts, wills, probate, and endowments. This record series may include, but is not limited to: trust documents, probate documents, endowment agreements, wills, and legal correspondence.
Schedule Retention	Permanent
Event Date	Creation
Disposition	Retain permanently in office.
Office of Record	Office of Gift Planning; University Advancement; Investment Office; Office of the General Counsel
Data Sourced From	Not Applicable
Notes	Based on University best practices.
Series Identifier	GP002

Schedule Title	Estate Files, Working Papers
Schedule Description	This record series documents the process of receiving financial contributions to the University from deceased donors. This record series may include, but is not limited to: copies of trust documents, wills, and insurance policies, financial statements, donor information, copies of information sent by MSU to verify beneficiaries, and other related correspondence.
Schedule Retention	Close of File + 6 Years
Event Date	Last Payment is Received or Estate is Closed
Disposition	Retain for 6 years after the last financial contribution is received or the estate is considered closed, whichever is later, then proceed with confidential destruction.
Office of Record	Office of Gift Planning; Office of the General Counsel
Data Sourced From	Not Applicable
Notes	Based on University best practices. Convenience copies of information from the estate files may be retained in University Advancement's electronic database. Please note that some estate files may contain agreements, trust documents, or other legal correspondence related to an endowment. If these documents are the record copy, with no other copy retained elsewhere at the University, they must be retained permanently in accordance with GP002.
Series Identifier	GP003

Schedule Title Personnel Files, Faculty/Academic Staff/Executive Managers

Schedule Description This record series documents all human resources related transactions that occurred during the faculty/academic staff's period of active employment. This record series may include, but is not limited to: administrative review materials, fixed term memoranda, appointment forms, multiple appointment memos, performance evaluations, disciplinary actions, written statements by employees, and related correspondence, including e-mail.

Schedule Retention Active + 6 Years

Event Date Employment Terminates

Disposition Retain for 6 years after employment terminates, then proceed with confidential destruction.

Office of Record Human Resources; Office/Department

Data Sourced From SAP; ImageNow

Notes Based on State of Michigan Retention Schedules GS26 and University best practices. Material may be located in either Human Resources personnel files or Office/Department files. Any materials related to harassment or discrimination complaints or subsequent investigation are retained in the Office of Institutional Equity. For Human Resources personnel files, files are scanned into ImageNow after termination.

Series Identifier HR041

Schedule Title Personnel Files, Non-Academic Student Workers

Schedule Description This record series documents all human resources related transactions that occurred during the students' period of active employment as a non-academic student worker. This record series may include, but is not limited to: performance evaluations, disciplinary actions, complaints by students/colleagues, and related correspondence, including e-mails.

Schedule Retention Active + 3 Years

Event Date Student Leaves Job with Department

Disposition Retain for 3 years after the student leaves job with department, or as long as administratively necessary, whichever is later, then proceed with confidential destruction.

Office of Record Office/Department

Data Sourced From SAP

Notes Based on MSU Student Employment Manual. If student holds multiple separate positions within a department, such as with Residential and Hospitality Services, the record will be retained for 3 years after the student leaves his last job with the department.

Series Identifier HR042

Schedule Title Personnel Files, Non-Academic Support Staff

Schedule Description This record series documents all human resources related transactions that occurred during the non-academic support staff's period of active employment. This record series may include, but is not limited to: performance evaluations, disciplinary actions, written statements by employees, and related correspondence, including e-mail.

Schedule Retention Active + 6 Years

Event Date Employment Terminates

Disposition Retain for 6 years after employment terminates, then proceed with confidential destruction.

Office of Record Human Resources; Office/Department

Data Sourced From SAP; ImageNow

Notes Based on State of Michigan Retention Schedules GS26 and University best practices. Material may be located in either Human Resources personnel files or Office/Department files. Any materials related to harassment or discrimination complaints or subsequent investigation are retained in the Office of Institutional Equity. For Human Resources personnel files, files are scanned into ImageNow after termination.

Series Identifier HR043

Schedule Title Time Records

Schedule Description This record series documents payroll activity of employees, including approval and payment of comp time and overtime, and is organized by pay period. This record series does not include workers paid by grant funding. This record series may include, but is not limited to: time sheets, time cards, special payment authorization forms, approval letters, and related correspondence.

Schedule Retention Creation + 6 Years

Event Date Creation of Record or Issuance of Comp Time

Disposition Retain for 6 years after creation of record, or issuance of comp time, whichever is later, then proceed with confidential destruction.

Office of Record Human Resources; Payroll; Office/Department

Data Sourced From SAP; Department Systems

Notes Based on University best practices. Some material stored in SAP or in other department time systems. On rare occasions, comp time may be retained for longer than 6 years based on departmental practices. Time records for workers paid by grant funding may have longer retention periods. Contact CGA for more information on retention of grant-related records.

Series Identifier HR052