
 <p style="text-align: center;">ADMINISTRATIVE ORDER</p>	Approved By:	No. 5
	 City Manager	Effective Date: 04/30/2018
Subject: PUBLIC RECORDS RETENTION AND DESTRUCTION		

I. **PURPOSE.**

The purpose of this Administrative Order is to require the City of Highland Park departments to retain public records according to the guidelines provided by the Local Records Act, 50 ILCS 205/1 *et seq.* The Local Records Act prohibits the mutilation, destruction, or disposal of all public records made or received by, or within the control or possession of, the City or any of its departments, unless the City obtains the prior approval of the Illinois Local Records Commission.

Public records include any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed, or received by the City, any department of the City or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by the City as evidence of the organization, function, policies, decisions, procedures, or other activities of the City or because of the informational data contained therein. [50 ILCS 205/3] Public records do not include extra copies of documents retained for convenience of reference.

II. **POLICY.**

- A. No public record, except as otherwise provided by law, shall be disposed of by any City department without the prior approval of the Illinois Local Records Commission.
- B. The director of each City department or department designee shall submit to the Illinois Local Records Commission lists or schedules of public records in the department's custody and if desired, seek the assistance of the Local Records Unit¹ in completing the necessary lists and schedules of documents (i) that are no longer needed in the transaction of City business; and (ii) that have no administrative, legal, research, or historical value.

¹ Local Records Unit, office of the Secretary of State, Illinois State Archives, Springfield, Illinois 62756, (217) 782-7076.

- C. At least 30 days prior to the disposal of any record, regardless of physical format or characteristics, the director of any City department, department designee or Deputy City Clerk shall submit a Local Records Disposal Certificate to the Commission and proceed with disposal only after a copy of that certificate has been reviewed and approved by the Chairman and returned to the agency pursuant to Title 44 Section 4000.40 of the Illinois Administrative Code. The original copy of this Local Records Disposal Certificate will be kept in the files of the Commission and the duplicate copy approved and returned by the Chairman shall be retained in the City Clerk's Office.
- D. The director of any City department or department designee may dispose of an original of any reproduced record providing: (i) the reproduction process forms a durable medium that accurately and legibly reproduces the original record in all details, that does not permit additions, deletions, or changes to the original document images, and if electronic, that are retained in a trustworthy manner so that the records, and the information contained in the records, are accessible and usable for subsequent reference at all times while the information must be retained; (ii) the reproduction is retained for the prescribed retention period; and (iii) the Commission is notified when the original record is disposed of and also when the reproduced record is disposed of. Any public record may be reproduced in a microfilm or digitized electronic format, in accordance with Title 44 Section 4000.50 of the Illinois Administrative Code. The information in microfilm or digitized electronic format should be organized and indexed so that members of the public may easily access the materials by name or other information.
- E. The City Clerk shall serve as the primary contact with respect to all general matters affecting the operations and management of the retention and destruction of public records. The City Clerk may delegate responsibility for records retention and destruction to any person employed by the City. The director of each City department or department designee may request assistance from the City Clerk's office in determining whether the public records are no longer needed in the transaction of City business and have no administrative, legal, research, or historical value.
- F. The director of each City department shall serve as the chief decision maker with respect to matters affecting the retention, duplication, or destruction of public records in the custody of the department. A department director likewise may delegate responsibility for records retention to any person employed within the department.
- G. The director of any City department may adopt additional document retention guidelines consistent with the foregoing as may be expedient in the management and operations of the department and not inconsistent with the provisions of the Local Records Act.

III. **INTERPRETATION.**

All questions concerning the meaning or applicability of the provisions of this Administrative Order shall be submitted in writing to the City Manager. A

written interpretation by the City Manager shall be provided to all departments and serve as a supplement to this Administrative Order. All such determinations shall be final.