

Schedule 56

REAL ESTATE COMMISSION

September 12, 2005

Nebraska Records Management Division
440 South 8th Street, Suite 210
Lincoln, NE 68508
(402) 471-2559

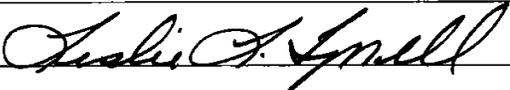
**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

SCHEDULE	56
AGENCY, BOARD OR COMMISSION	REAL ESTATE COMMISSION
DIVISION, BUREAU OR OTHER UNIT	
Supersedes Edition of March 6, 1992	

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

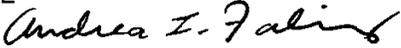
PART I -- AGENCY STATEMENT

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE 	
TITLE Director	DATE September 7, 2005

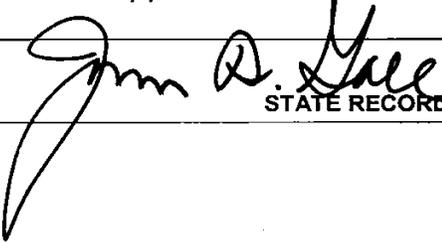
PART II - ARCHIVAL APPROVAL

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE 	DATE Sept. 9, 2005
STATE ARCHIVIST	

PART III -- APPROVAL BY STATE RECORDS ADMINISTRATOR

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE 	DATE Sept 12, 2005
STATE RECORDS ADMINISTRATOR	

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guidelines for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. These retention schedules, which are approved by the State Records Administrator, provide your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is the last page of this schedule. Remove the form, photocopy it, complete the form, make a photocopy for your records, and send the completed form to the Records Management Division at the address below. If you wish, you may receive this form electronically by contacting the Records Management Division. This report establishes that the destruction was performed in your normal course of business.

Please remember to retain the blank form for future use.

NON-SCHEDULED RECORDS

Contact a Records Management Consultant in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Consultant in Records Management can assist you with the schedule update, which involves adding new records and making revisions to existing items. Keeping your schedule current will ensure that you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or your Records Management Consultant in Records Management. We will help you with any questions the schedule may present, including: transferring records to the State Records Center or State Archives, microfilming records, scanning records, etc.

**Records Management Division
440 South 8th Street, Suite 210
Lincoln, NE 68508-2294
402-471-2559**

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SCHEDULE 56 – REAL ESTATE COMMISSION

56-1 GENERAL RECORDS

56-1-1 ALPHA AND ID ROSTERS (OBSOLETE)

1998 and prior mainframe computer reports which include but are not limited to: an identification number and name of all licensees in alphabetical order. Replaced by item #56-1-10.
Dispose of after January 2049.

56-1-2 DBA BROKER ALPHA LISTS (OBSOLETE)

1998 and prior mainframe computer reports of those licensees doing business as designated brokers. Information includes but is not limited to: business identification number, type of license, license status, state and federal identification number, name, address, trust account number and individual trust account examination date. It was originally titled "DBA Roster". Replaced by item #56-1-10.
Dispose of after January 2049.

56-1-3 ALPHA LISTING OF ENTITIES AND INDIVIDUALS (MASTER FILE) (OBSOLETERE)

1998 and prior mainframe reports issued of all licensees. Information includes but is not limited to: individual and entity identification numbers, name and address, date, license type and status, business identification, business name and address, trust account number and trust account examination date. Replaced by item #56-1-10.
Dispose of after January 2049.

56-1-4 MASTER FILE RENEWAL REGISTERS (OBSOLETE)

1998 and prior mainframe computer reports of all licensees. Information includes but is not limited to: the identification number, name, license type, renewal date, pocket card number, and whether renewed or not. Replaced by item #56-1-10.
Dispose of after January 2049.

56-1-5 NON-RENEWED ACTIVE AND INACTIVE BROKER REPORTS (OBSOLETE)

1998 and prior annual computer reports include but are not limited to: identification number, name and address, pocket card number, employer identification number, employer or business name and address, license type, license status, and total summary of all non-renewed brokers. Replaced by item #56-1-10.
Dispose of after January 2049.

56-1-6 NON-RENEWED ACTIVE AND INACTIVE SALESPERSON REPORTS (OBSOLETE)

1998 and prior annual computer reports include but are not limited to: an identification number, name and address, social security number, employer identification number, employer or business name and address, date licensed, type of license, and a total summary of all non-renewed salespersons. Replaced by item #56-1-10.
Dispose of after January 2049.

56-1-7 NON-RENEWED BRANCH OFFICE REPORTS (OBSOLETE)

1998 and prior annual computer reports include but are not limited to: identification number, name, address, pocket card number, the designated broker's identification number, name and address. Replaced by item #56-1-10.

Dispose of after January 2049.

56-1-8 POCKET CARD ROSTER

Pocket card roster for the calendar year, which roster is generated in increments from deposit to deposit. The roster includes but is not limited to: an identification number, name, license type, and a computer generated pocket card number. The corresponding deposit information is written on the roster.

Dispose of after one year following the end of the fiscal year to which the record pertains, provided audit has been completed.¹

56-1-9 TRUST ACCOUNT ROSTERS (OBSOLETE JANUARY 1999)

Computer report includes identification number, name and address, social security or federal identification number, broker identification number, business name and address, date licensed type of license, and examination date.

Immediately dispose of obsolete record.

56-1-10 IFMC (IOWA FOUNDATION FOR MEDICAL CARE) LICENSEE DATABASE

The database, since January 1999, holds information, reports and history. Information includes a licensee=s name, identification number, current address(es), place of birth, date of birth, social security number, original license issuance date, manner of doing business, license status, type of license, trust account information, application information, examination information, list of broker=s affiliated licensees, licenses in other states (jurisdictions), errors & omissions insurance, complaint information, continuing education records, education provider & institution information, specialized registration information.

ELECTRONIC DATA: Dispose of after superseded.

SECURITY BACKUP: Backup weekly. Dispose of after 7 days or superseded whichever is first.

56-1-11 IFMC (IOWA FOUNDATION FOR MEDICAL CARE) UPDATE DOCUMENTATION

Documentation sent by IFMC, since January 1999, when an update to the software has been made. Said documentation includes but is not limited to the new version number of the software and a description of the changes that were made in each update since 1998.

Retain for life of IFMC database.

56-1-12 PASSWORDS FOR WEBSITE

Licensee user name and password list, since January 2001, to access confidential information on the Nebraska Real Estate Commission website. Confidential list includes but is not limited to: user name, password and licensee=s name. Also in this file is the list of deleted passwords.

Dispose of after superseded or obsolete.

56-1-13 COMMISSIONER FILES

Documentation on the appointment of Commissioners which documentation may include, but is not limited to: the Statement of Income, Investments and Business Interests, newspaper clippings, appointment letters, resume, retirement documentation, pictures, signed Oath to perform duties according to law, Public Employees Blanket Bond, copy of Certificate from Governor, appointment application, reappointment documentation, Commission Resolution at end of term.

Dispose of after 10 years of not serving, provided audit has been completed, subject to review by the State Archivist.¹

56-2 LICENSE RECORDS

56-2-1 BOUND LICENSE APPLICATIONS (OBSOLETE 1958)

Bound books include original applications for brokers 1941-1958 and salespersons 1939-1956. **Immediately dispose of obsolete record.**

56-2-2 APPLICATIONS OF THOSE WHO FAILED EXAMINATION

Applications of people who have failed examination and were never licensed.

Dispose of 7 years after the last failed examination, provided audit has been completed.¹

56-2-3 PRIOR FEES AND REFUNDED FEES

Applications of people who: (1) have paid their fees and then fail to take the examination; (2) passed the examination but did not get a license; and (3) chose not to take the examination and received a refund for the examination fee.

Dispose of 7 years after filing date of the latest received application, provided audit has been completed.¹

56-2-4 EXAMINATION RESULT MATERIALS

Information supplied by contracted examination provider after each administration of the real estate salesperson and broker examinations. Such materials include but are not limited to: confidential pass/fail roster, summary results of examination, and appropriate examination evaluation reports.

Transferred to items 56-2-39 through 56-2-42.

56-2-5 LICENSE STUBS (OBSOLETE JANUARY 1999)

License stubs for salespersons and brokers include the license number, names, address, receipt number, date issued, card number, and fee.

Immediately dispose of obsolete record.

56-2-6 VOIDED POCKET CARDS AND LICENSES

Pocket cards and licenses that have been voided due to processing errors that were irreversible. All other voided pocket cards and licenses are kept in the current license file.

Dispose of after 3 years, provided audit has been completed.¹

56-2-7 NON-RENEWED BROKER LICENSE FILES

Files may include but are not limited to: application(s) for annual renewal, original application for license as a real estate broker, correspondence, report of examination results, verification of experience, pre-license education certificates, additional application information, consent to examine trust account, license transfer information, pocket cards, licenses, and a picture of the broker and continuing education certificates. If the licensee progressed from salesperson to broker, the SALESPERSON LICENSE FILE items will be included.

Dispose of 14 years after non-renewal, provided audit has been completed.¹

56-2-8 NON-RENEWED SALESPERSON LICENSE FILES

Files may include but are not limited to: application(s) for annual renewal, original application for license as a real estate salesperson, report of examination results, pre-license education certificates, additional application information, license transfer information, pocket cards, license, correspondence, a picture of the salesperson and continuing education certificates. If the licensee progresses to broker, these items will be in CURRENT BROKER LICENSE FILE.

Dispose of 14 years after non-renewal, provided audit has been completed.¹

56-2-9 LICENSE RENEWALS

Renewal applications are maintained in individual license files.

Dispose of after 10 years, provided audit has been completed.¹

56-2-10 BROKER TRUST ACCOUNT EXAMINATION REPORTS

Annual examinations are conducted on all required real estate trust accounts. Electronic and/or paper files result, which may include but are not limited to: a summary report of broker's trust funds which contains financial information, inadequacies in records or procedures, bank reconciliations, summary of open balances on real estate transactions, summary of closed real estate transactions, management accounts, exit interview reports and follow-up correspondence.

WRITTEN & ELECTRONIC EXAMINATION REPORTS: Dispose of after 10 years.

SECURITY BACKUP: Backup weekly. Dispose of after 7 days or superseded whichever is first.

56-2-11 SWORN COMPLAINT FILES

Confidential files may include but are not limited to: the complaint, correspondence, the answer to a complaint, exhibits, copy of hearing notice, commission decision, bond(s), subpoena(s), and transcript of proceedings, appeal file, non-public appeal and investigative files, and disciplinary action order.

COMPLAINTS RESULTING IN REVOCATION: Dispose of 80 years after date of revocation.

ALL OTHER COMPLAINTS: Dispose of 15 years after adjudication.

56-2-12 COMPLAINT CARDS

Cards are filed by complainant(s) name(s) and respondent(s) name(s). Information includes but is not limited to: respondent(s) name(s), complainant(s) name(s), the complaint file number and final disposition.

Dispose of 80 years after date of complaint.

56-2-13 MISCELLANEOUS COMPLAINTS AND INQUIRIES

Confidential complaints and inquiries which were not sworn. Information includes but is not limited to correspondence and investigative material. No commission decision results.
Dispose of 2 years after receipt date of complaint or inquiry.

56-2-14 RECIPROCAL AND LICENSE RECOGNITION AGREEMENTS

Agreements between Nebraska and other real estate regulatory bodies regarding the licensure of real estate salespersons and brokers from each jurisdiction in the other jurisdiction.
Retain agreements while in force. Dispose of expired agreements after one year following the end of the fiscal year to which the record pertains, provided audit has been completed.¹

56-2-15 TIME-SHARE AND SUBDIVIDED LANDS FILES

Entities offering out-of-state and certain in-state time-share projects or subdivided land developments for sale in Nebraska must register with the Commission. Files may include but are not limited to: the original application, receipt(s), annual continuation of registration filings, all materials required under each respective law, and correspondence.

NOT REGISTERED: Dispose of after withdrawn, denied, rejected or 2 years after receipt of application, whichever is sooner, provided audit has been completed.¹

REGISTERED: Dispose of 7 years after non-renewal, provided audit has been completed.¹

**56-2-16 RETIREMENT SUBDIVISIONS AND COMMUNITIES FILES
(FORMERLY RETIREMENT HOME FILES)**

Files may include but are not limited to: original registration of entities which sell retirement subdivisions and communities, correspondence, annual renewal documentation, and receipt(s).

NOT REGISTERED: Dispose of after withdrawn, denied, rejected or 2 years after receipt of application, whichever is sooner, provided audit has been completed.¹

REGISTERED: Dispose of 7 years after non-renewal, provided audit has been completed.¹

56-2-17 MEMBERSHIP CAMPGROUND FILES

Files may include but are not limited to: original application, annual renewals for entities registered under the Nebraska Membership Campground Act, receipt(s) and correspondence.

NOT REGISTERED: Dispose of after withdrawn, denied, rejected or 2 years after receipt of application, whichever is sooner, provided audit has been completed.¹

REGISTERED: Dispose of 7 years after non-renewal, provided audit has been completed.¹

56-2-18 MEMBERSHIP CAMPGROUND SALESPERSON FILES

Files may include but are not limited to: original application, annual renewals of registration, receipt(s), and correspondence.

NOT REGISTERED: Dispose of after withdrawn, denied, rejected or 2 years after receipt of application, whichever is sooner, provided audit has been completed.¹

REGISTERED: Dispose of 7 years after non-renewal, provided audit has been completed.¹

56-2-19 NON-RENEWED OR VOIDED BRANCH OFFICE LICENSE FILES

Files may include but are not limited to: original application, application for annual renewal, consent to examine trust account, copies of correspondence, pocket card, and license.

Dispose of 7 years after non-renewal, provided audit has been completed.¹

56-2-20 CURRENT BRANCH LICENSE FILES

Files may include but are not limited to: original application, application for annual renewal of license, consent to examine trust account, copies of correspondence, pocket card, and license.

Transfer to "Non-Renewed Branch Office License File", item 56-2-19, upon Non-Renewal.

56-2-21 CURRENT BROKER LICENSE FILES

Files may include but are not limited to: application(s) for annual renewal, original application for license as a real estate broker, correspondence, report of examination results, verification of experience, pre-license education certificates, consent to examine trust account, additional application information, license transfer information, pocket cards, licenses, a picture of the broker and continuing education certificates. If the licensee progressed from salesperson to broker, the SALESPERSON LICENSE FILE items will be included.

Transfer to "Non-Renewed Broker License File", item 56-2-7, upon Non-Renewal.

56-2-22 CURRENT SALESPERSON LICENSE FILES

Files may include but are not limited to: applications for annual renewal, original applications for license as a real estate salesperson, report of examination results, pre-license education certificates, additional application information, license transfer information, pocket cards, licenses, and correspondence, a picture of the salesperson and continuing education certificates. If the licensee progresses to broker, these items will be in CURRENT BROKER LICENSE FILE.

Transfer to "Non-Renewed Salesperson License File", item 56-2-8, upon Non-Renewal.

56-2-23 ERRORS & OMISSIONS INSURANCE COVERAGE ROSTERS

Annual and daily electronic coverage rosters received from the Errors & Omissions Insurance Program Administrator since 1993.

ELECTRONIC REPORT: Dispose of after printing paper report.

PAPER REPORT: Dispose of after 20 years.

SECURITY BACKUP: Backup weekly. Dispose of after 7 days or superseded whichever is first.

56-2-24 ERRORS & OMISSIONS INSURANCE 7 DAY CERTIFIED LETTER LIST

Reports which are run daily, since January 1999, from the IFMC Licensee Database (referred to as the AE & O Seven Day Call List@) to notify licensees of upcoming errors and omission insurance expiration date.

Dispose of after obsolete.

56-2-25 NON-APPLICANT CRIMINAL BACKGROUND REPORTS

Criminal background reports, beginning in September 2003, from persons who have not filed an application for licensure. It includes but is not limited to: a complete check on each applicant, including an FBI check that has been sent to our office from the Nebraska State Patrol.

Dispose of after 2 years.

56-2-26 NON-APPLICANT TRANSCRIPTS

Official education transcripts from persons who have not filed an application for licensure.

Dispose of after 2 years.

56-2-27 NON-APPLICANT COURSE COMPLETION CERTIFICATES

Course completion certificates from persons who have not filed an application for licensure.

Dispose of after 2 years.

56-2-28 POST-SECONDARY AND PROPRIETARY PRE-LICENSE PROVIDER FILES

Files may include but are not limited to: original provider approval materials, course approval applications, course outlines, and correspondence.

Transfer to "Inactive Post-secondary and Proprietary Pre-License Provider Files", item 56-2-29, once declared inactive.

56-2-29 INACTIVE POST-SECONDARY AND PROPRIETARY PRE-LICENSE PROVIDER FILES

Files may include but are not limited to: original provider approval materials, course approval applications, course outlines, and correspondence.

Dispose of 1 year after placed on inactive.

56-2-30 PRE-LICENSE EDUCATION INSTRUCTOR FILES

Files may include but are not limited to: approval applications for instructors and correspondence.

Transfer to "Inactive Continuing Education & Pre-License Instructor Files", item 56-2-32, upon going inactive.

56-2-31 CONTINUING EDUCATION PROVIDER FILES

Files may include but are not limited to: continuing education activity sponsor applications, education activity applications, Instructor Approval Policies, continuing education activity renewal applications, and course outlines; and correspondence.

Dispose of individual course applications one year after approval expiration.

56-2-32 CONTINUING EDUCATION INSTRUCTOR FILES

Files may include but are not limited to: continuing education instructor applications and correspondence.

Transfer to "Inactive Continuing Education & Pre-License Instructor Files", item 56-2-33, upon expiration of all continuing education activities for which he/she instructs.

56-2-33 INACTIVE CONTINUING EDUCATION & PRE-LICENSE INSTRUCTOR FILES

Files may include but are not limited to: approval applications for instructors and correspondence.

Dispose of after remaining inactive for three calendar years.

56-2-34 CONTINUING EDUCATION & PRE-LICENSE EDUCATION SCHEDULES

Files may include but are not limited to: education provider's= course schedules.

Dispose of 2 years after date of course.

56-2-35 CONTINUING EDUCATION & PRE-LICENSE EDUCATION VERIFICATION FILES

Files may include but are not limited to: lists verifying course/activity attendees and annual reports of continuing education course offerings.

PRE-LICENSE EDUCATION: Dispose of after 80 years from date on list.

CONTINUING EDUCATION: Dispose of after 4 years from date on list.

56-2-36 REJECTED CONTINUING EDUCATION FILES

Files may include but are not limited to: continuing education activity sponsor applications, education activity applications, Instructor Approval Policies, continuing education activity renewal applications, course outlines, and correspondence.

Dispose of 3 years after rejection.

56-2-37 CEASE AND DESIST ORDER/LETTER

Files may include but are not limited to: investigative report of findings, correspondence and the Cease & Desist Order or letter.

Dispose of 10 years after the date of the last correspondence in the file.

56-2-38 APPLICANTS QUALIFIED TO SIT FOR EXAMINATION

Daily roster generated by Commission staff and submitted to the contracted examination company via email. A print copy is kept on file.

PAPER REPORT: Dispose of 1 year after submission to examination company.

ELECTRONIC REPORT: Dispose of after printing paper report.

SECURITY BACKUP: Backup weekly. Dispose of after 7 days or superseded whichever is first.

56-2-39 PERIODIC EXAMINATION SCORE REPORTS

Report of individual's examination scores which are generated by the contracted examination company and received in Commission office multiple times a week.

Dispose of upon receipt and reconciliation with item 56-2-41, MONTHLY COMPIATION OF EXAMINATION SCORE REPORTS.

56-2-40 EXPIRED ELIGIBILITY TO TAKE THE EXAMINATION NOTICE

This notice to the contracted examination company lists those examination candidates whose application is expiring and who are no longer eligible to take the examination.

Dispose of 3 months after submission to the examination company.

56-2-41 MONTHLY COMPILATION OF EXAMINATION SCORE REPORTS

This report is received monthly from the contracted examination company. It includes the score report for each candidate taking the examination during the immediate preceding month.

Dispose of 7 years after date of report.

56-2-42 MONTHLY PASSING ROSTER

This monthly roster of passing candidates does not include scores and is used to alert subscribers to those who have successfully passed the examination.

Dispose of 3 months after submission to the examination company.

NOTE

1. These records may be disposed of after the required retention period provided the audit of the Comprehensive Annual Financial Report (CAFR) is complete and any required federal audit is complete, and all related audit comments have been resolved. Check with the organization that performed the audit, either the Auditor of Public Accounts or the federal cognizant agency, if there is a question whether resolution is complete.

RECORDS DISPOSITION REPORT

TO: SECRETARY OF STATE RECORDS MANAGEMENT DIVISION 440 S. 8TH STREET SUITE 210 LINCOLN, NE 68508-2294	AGENCY
	DIVISION
	SUB-DIVISION

REQUIRED INFORMATION:

In accordance with the Records Management Act, records of this agency have been disposed of under the authorization granted by the following schedule(s):

SCHEDULE NUMBER(S) ONLY (DO NOT INCLUDE SECTION AND ITEM NUMBERS)	TOTAL VOLUME DISPOSED (SEE REVERSE)

OPTIONAL INFORMATION (FOR YOUR USE ONLY):

You may include detailed information which will be useful to you in recording exactly what records were disposed of and under what authority. This might include such things as schedule section and item numbers, title of records, inclusive dates of records, etc. This information is not required to be filed with Records Management.

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DATE	SIGNATURE
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SEND ORIGINAL TO RECORDS MANAGEMENT. MAKE A PHOTOCOPY FOR YOUR RECORDS.

RMA 03006D

VOLUME ESTIMATING GUIDE

(PLEASE NOTE THAT FOR REPORTING PURPOSES, A BALLPARK ESTIMATE OF THE TOTAL VOLUME OF MATERIAL DISPOSED IS ADEQUATE.)

Vertical File Cabinet, 4 drawer letter-size	6 cubic feet
Vertical File Cabinet, 4 drawer legal-size.....	8 cubic feet
Lateral File, 4 drawer/shelf letter-size	9 cubic feet
Lateral File, 4 drawer/shelf legal-size.....	12 cubic feet
Records center carton.....	1 cubic foot
About a pickup load.....	50 cubic feet