

To which educational agencies or institutions does FERPA apply?

FERPA applies to educational agencies or institutions that receive funds from programs administered by the U.S. Department of Education. By “educational agencies or institutions” we mean public schools, school districts (or “local educational agencies” (LEAs)), and postsecondary institutions, such as colleges and universities. Private and parochial schools at the elementary and secondary level generally do not receive such funding and are, therefore, not subject to FERPA.

Not a Board of Trustees administering a scholarship fund.

Audience

Parents and Students

K-12 School Officials

Postsecondary School Officials

Topics

FERPA

FEATURED RESOURCES

[A Parent Guide to the Family Educational Rights and Privacy Act \(FERPA\)](/resources/parent-guide-family-educational-rights-and-privacy-act-ferpa) **[\(/resources/parent-guide-family-educational-rights-and-privacy-act-ferpa\)](/resources/parent-guide-family-educational-rights-and-privacy-act-ferpa)**

The Family Educational Rights and Privacy Act or FERPA provides certain rights for parents regarding their children’s education records. This guide provides general information on a parent’s rights under FERPA.

2/18/2024

KROM

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 33-A DISPOSITION OF MUNICIPAL RECORDS

Section 33-A:1

33-A:1 Definition of Terms. –

In this chapter:

I. "Board" means the municipal records board.

This is a state Board, listed on Secretary of State's website. Last updated in 2018.

II. "Municipal" refers to a city or town, county or precinct.

III. "Municipal officers" means:

(a) In the case of a town, the board of selectmen.

(b) In the case of a city which has adopted the council manager plan under RSA 49-A, the city manager.

(c) In the case of any other city, the mayor.

(d) In the case of a county, the county commissioners.

(e) In the case of a precinct, the precinct commissioners.

IV. "Municipal records" means all municipal records, reports, minutes, tax records, ledgers, journals, checks, bills, receipts, warrants, payrolls, deeds and any other written or computerized material that may be designated by the board.

V. "Active" means until termination or expiration of obligations or services, cessation of need for further attention, and completion or release of any pending legal processes.

Source. 1967, 105:1. 1977, 358:1, eff. July 1, 1977. 2005, 187:1, eff. Aug. 29, 2005.

2/10/2024 KBM

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 33-A

DISPOSITION OF MUNICIPAL RECORDS

Section 33-A:3

Select Bd.
33-A:3 Municipal Committees. – The municipal officers or their designee together with the clerk, treasurer, an assessor, and tax collector of each city or town shall constitute a committee to govern the disposition of municipal records pursuant to this chapter. Unless otherwise provided by a municipal ordinance, the committee shall designate the office responsible for the retention of each type of record created for the municipality.

Source. 1967, 105:1. 1977, 358:2, eff. July 1, 1977. 2005, 187:2, eff. Aug. 29, 2005. 2006, 119:1, eff. May 12, 2006.

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 33-A

DISPOSITION OF MUNICIPAL RECORDS

Section 33-A:3-a

33-A:3-a Disposition and Retention Schedule. –

The municipal records identified below shall be retained, at a minimum, as follows:

- I. Abatements: 5 years.
- II. Accounts receivable: until audited plus one year.
- III. Aerial photographs: permanently.
- IV. Airport inspections-annual: 3 years.
- V. Airport inspections-daily, including fuel storage and vehicles: 6 months.
- VI. Annual audit report: 10 years. *NA*
- VII. Annual reports, town warrants, meeting and deliberative session minutes in towns that have adopted official ballot voting: permanently.
- ** VIII. Archives: permanently. *Court Decisions*
- ** IX. Articles of agreement or incorporation: permanently. *Will; NH Chapter Law.*
- X. Bank deposit slips and statements: 6 years.
- XI. Blueprints-architectural: life of building.
- XII. Bonds and continuation certificates: expiration of bond plus 2 years.
- XIII. Budget committee-drafts: until superseded.
- XIV. Budgets: permanently.
- XV. Building permits-applications and approvals: permanently.
- XVI. Building permits-lapsed: permanently.
- XVII. Building permits-withdrawn, or denied: one year.
- XVIII. Capital projects and fixed assets that require accountability after completion: life of project or purchase.
- ** XIX. Cash receipt and disbursement book: 6 years after last entry, or until audited.
- ** XX. Checks: 6 years.
- XXI. Code enforcement specifications: permanently.
- XXII. Complaint log: expiration of appeal period. *← Scholarships/grants*
- ** XXIII. Contracts-completed awards, including request for purchase, bids, and awards: life of project or purchase.
- ** XXIV. Contracts-unsuccessful bids: completion of project plus one year. *←*
- ** XXV. Correspondence by and to municipality-administrative records: minimum of one year.
- XXVI. Correspondence by and to municipality-policy and program records: follow retention requirement for the record to which it refers. *?*
- XXVII. Correspondence by and to municipality-transitory: retain as needed for reference. *⊗*
- XXVIII. Current use applications and maps: until removed from current use plus 3 years.
- XXIX. Current use release: permanently.
- XXX. Deed grantee/grantor listing from registry, or copies of deeds: discard after being updated and replaced with a new document.
- XXXI. Deferred compensation plans: 7 years.
- XXXII. Underground facility damage prevention forms: 4 years.
- XXXIII. Dredge and fill permits: 4 years.
- XXXIV. Driveway permits and plans: permanently.
- XXXV. Easements awarded to municipality: permanently.

XXXVI. Elections-federal elections: ballots and absentee ballot applications, affidavit envelopes, and lists: by the town clerk until the contest is settled and all appeals have expired or at least 22 months after the election, whichever is longer.

XXXVII. Elections-not federal: ballots and absentee ballot applications, affidavit envelopes, and lists: by the town clerk until the contest is settled and all appeals have expired or at least 60 days after the election, whichever is longer.

XXXVIII. Elections-challenge affidavits by the town clerk: until the contest is settled and all appeals have expired or 22 months after the election, whichever is longer.

XXXIX. Elections-ward maps: until revised plus 1 year.

XL. Emergency medical services run reports: 10 years.

XLI. Equipment maintenance: life of equipment.

XLII. Excavation tax warrant and book or list: permanently.

XLIII. Federal form 1099s and W-2s: 7 years.

XLIV. Federal form 941: 7 years.

XLV. Federal form W-1: 4 years.

XLVI. Fire calls/incident reports: 10 years.

XLVII. Grants, supporting documentation: follow grantor's requirements. *Grants rec'd by Town - NA*

XLVIII. Grievances: expiration of appeal period.

XLIX. Health-complaints: expiration of appeal period.

L. Health-inspections: 3 years.

LI. Health-service agreements with state agencies: term plus 7 years.

LII. Health and human services case records including welfare applications: active plus 7 years.

LIII. Inspections-bridges and dams: permanently.

LIV. Insurance policies: permanently.

LV. Intent to cut trees or bushes: 3 years.

LVI. Intergovernmental agreements: end of agreement plus 3 years.

LVII. Investigations-fire: permanently.

LVIII. Invoice, assessors: permanently.

LIX. Invoices and bills: until audited plus one year.

LX. Job applications-successful: retirement or termination plus 20 years.

LXI. Job applications-unsuccessful: current year plus 3 years.

LXII. Labor-public employees labor relations board actions and decisions: permanently.

LXIII. Labor union negotiations: permanently or until contract is replaced with a new contract.

LXIV. Ledger and journal entry records: until audited plus one year.

LXV. Legal actions against the municipality: permanently.

LXVI. Library:

(a) Registration cards: current year plus one year.

(b) User records: not retained; confidential pursuant to RSA 201-D:11.

LXVII. Licenses-all other except dog, marriage, health, and vital records: duration plus 1 year.

LXVIII. Licenses-dog: current year plus one year.

LXIX. Licenses-dog, rabies certificates: disposal once recorded.

LXX. Licenses-health: current year plus 6 years.

LXXI. Liens-federal liens upon personal property, other than IRS liens: permanently.

LXXII. Liens-hospital liens: 6 years.

LXXIII. Liens-IRS liens: one year after discharge.

LXXIV. Liens-tax liens, state liens for support of children: until court order is lifted plus one year.

LXXV. Liens-tax liens, state meals and rooms tax: until release plus one year.

LXXVI. Liens-tax sale and record of lien: permanently.

LXXVII. Liens-tax sales/liens redeemed report: permanently.

LXXVIII. Liens-Uniform Commercial Code leases: lease term plus 4 years; purge all July 1, 2007.

LXXIX. Liens-Uniform Commercial Code security agreements: 6 years; purge all July 1, 2007.

LXXX. Meeting minutes, tape recordings: keep until written record is approved at meeting. As soon as minutes are approved, either reuse the tape or dispose of the tape. *NA*

LXXXI. Minutes of boards and committees: permanently. *To Town - ok*

Q - Do we need to collect past minutes approved but not sent to Town?

- LXXXII. Minutes of town meeting/council: permanently.
- LXXXIII. Minutes, selectmen's: permanently.
- LXXXIV. Motor vehicle-application for title: until audited plus one year.
- LXXXV. Motor vehicle-titles and voided titles: sent to state division of motor vehicles.
- LXXXVI. Motor vehicle permits-void and unused: until audited plus one year.
- LXXXVII. Motor vehicle permits and registrations-used: current year plus 3 years.
- LXXXVIII. Municipal agent daily log: until audited plus one year.
- LXXXIX. Notes, bonds, and municipal bond coupons-cancelled: until paid and audited plus one year.
- XC. Notes, bonds, and municipal bond coupon register: permanently.
- XCI. Oaths of office: term of office plus 3 years.** - Clerk Retains those; we don't need to.
- XCII. Ordinances: permanently.
- XCIII. Payrolls: until audited plus one year.
- XCIV. Perambulations of town lines-copy kept by town and copy sent to secretary of state: permanently.
- XCV. Permits or licenses, pole: permanently.
- XCVI. Personnel files: retirement or termination plus 20 years.
- XCVII. Police, accident files-fatalities: 10 years.
- XCVIII. Police, accident files-hit and run: statute of limitations plus 5 years.
- XCIX. Police, accident files-injury: 6 years.
- C. Police, accident files-involving arrests: 6 years.
- CI. Police, accident files-involving municipality: 6 years.
- CII. Police, accident files-property damage: 6 years.
- CIII. Police, arrest reports: permanently.
- CIV. Police, calls for service/general service reports: 5 years.
- CV. Police, criminal-closed cases: statute of limitations plus 5 years.
- CVI. Police, criminal-open cases: statute of limitations plus 5 years.
- CVII. Police, motor vehicle violation paperwork: 3 years.
- CVIII. Police, non-criminal-internal affairs investigations: upon the retirement or termination of the subject officer plus 20 years, except that the municipality shall follow the retention period for non-criminal internal affairs investigations as set forth in any applicable union or collective bargaining agreement in effect as of July 1, 2021 until such agreement expires, at which time the 20-year retention period in this paragraph shall apply.
- CIX. Police, non-criminal-all other files: closure plus 3 years.
- CX. Police, pistol permit applications: expiration of permit plus one year.
- CXI. Property inventory: 5 years.
- CXII. Property record card: current and last prior reassessing cycle.
- CXIII. Property record map, assessors: until superceded.
- CXIV. Property tax exemption applications: transfer of property plus one year.
- CXV. Records management forms for transfer of records to storage: permanently.
- CXVI. Road and bridge construction and reconstruction, including highway complaint slips: 6 years.
- CXVII. Road layouts and discontinuances: permanently.
- CXVIII. Scenic roads: permanently.
- CXIX. School records: retained as provided under RSA 189:29-a.
- CXX. Septic plan approvals and plans: until replaced or removed.
- CXXI. Sewer system filtration study: permanently.
- CXXII. Sign inventory: 7 years.
- CXXIII. Site plan review: life of improvement plus 3 years.
- CXXIV. Site plan review-lapsed: until notified that planning board action and appeal time has expired plus one year.
- CXXV. Site plan review-withdrawn or not approved: appeal period plus one year.
- CXXVI. Special assessment (betterment of property): 20 years.
- CXXVII. Street acceptances: permanently.
- CXXVIII. Street signs, street lights and traffic lights-maintenance records: 10 years.
- CXXIX. Subdivision applications-lapsed: until notified that planning board action and appeal period has expired plus one year.
- CXXX. Subdivision applications-successful and final plan: permanently.

- CXXXI. Subdivision applications-withdrawn, or not approved: expiration of appeal period plus one year.
- CXXXII. Subdivision applications-working drafts prior to approval: expiration of appeal period.
- CXXXIII. Summary inventory of valuation of property: one year.
- CXXXIV. Tax maps: permanently.
- CXXXV. Tax receipts paid, including taxes on land use change, property, resident, sewer, special assessment, and yield tax on timber: 6 years.
- CXXXVI. Tax-deeded property file (including registered or certified receipts for notifying owners and mortgagees of intent to deed property): permanently.
- CXXXVII. Time cards: 4 years.
- CXXXVIII. Trust fund:
- (a) Minutes and quarterly reports, in paper or electronic format: permanently.
- (b) Bank statements, in paper or electronic format: 6 years after audit.
- CXXXIX. Vehicle maintenance records: life of vehicle plus 2 years.
- CXL. Voter checklist-marked copy kept by town pursuant to RSA 659:102: 7 years.
- CXLI. Voter registration:
- (a) Forms, including absentee voter registration forms: until voter is removed from checklist plus 7 years.
- (b) Same day, returned to undeclared status, form and report from statewide centralized voter registration database: 7 years.
- (c)(1) Party change form: until voter is removed from checklist plus 7 years.
- (2) List of undeclared voters from the statewide centralized voter registration database: 7 years.
- (d) Forms, rejected, including absentee voter registration forms, and denial notifications: 7 years.
- (e) Qualified voter affidavit: until voter is removed from checklist plus 7 years.
- (f) Verifiable action of domicile document: until voter is removed from checklist plus 7 years.
- (g) Overseas absentee registration affidavit: until voter is removed from checklist plus 7 years.
- (h) Absentee ballot voter application form in the federal post card application format, for voters not previously on the checklist: until voter is removed from checklist plus 7 years.
- (i) Absentee ballot affidavit envelope for federal post card applicants not previously on the checklist: until voter is removed from checklist plus 7 years.
- (j) Notice of removal, 30-day notice: until voter is removed from checklist plus 7 years.
- (k) Report of death: until voter is removed from checklist plus 7 years.
- (l) Report of transfer: until voter is removed from checklist plus 7 years.
- (m) Undeliverable mail or change of address notice from the United States Postal Service: until voter is removed from checklist plus 7 years.
- CXLII. Vouchers and treasurers receipts: until audited plus one year.
- CXLIII. Warrants-land use change, and book or list: permanently.
- CXLIV. Warrants-property tax, and lists: permanently.
- CXLV. Warrants-resident tax, and book or list: permanently.
- CXLVI. Warrants-town meeting: permanently.
- CXLVII. Warrants-treasurer: until audited plus one year.
- CXLVIII. Warrants-utility and betterment tax: permanently.
- CXLIX. Warrants-yield tax, and book or list: permanently.
- CL. Welfare department vouchers: 4 years.
- CLI. Work program files: current year plus 6 years.
- CLII. Writs: expiration of appeal period plus one year.
- CLIII. Zoning board of adjustment applications, decisions, and permits-unsuccessful: expiration of appeal period.
- CLIV. Intent to excavate: completion of reclamation plus 3 years.
- CLV. Election return forms, all elections: permanently.
- CLVI. Affidavits of religious exemption: until voter is removed from checklist plus 7 years.

Reports to Director of
Charitable Trust - Perm.

Source. 2005, 187:3, eff. Aug. 29, 2005. 2006, 119:2-5, eff. May 12, 2006. 2010, 172:1-3, eff. Aug. 16, 2010; 191:1, eff. Aug. 20, 2010. 2012, 113:1, eff. May 31, 2012; 284:13, eff. Sept. 1, 2015. 2014, 319:1, eff. Sept. 30, 2014. 2015, 4:1, eff. July 4, 2015. 2017, 205:15, eff. Sept. 8, 2017. 2018, 247:1, 2, eff. Aug. 11, 2018. 2021, 227:2, eff. July 1, 2021.

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 33-A

DISPOSITION OF MUNICIPAL RECORDS

Section 33-A:5-a

33-A:5-a Electronic Records. –

I. Paper municipal records listed in the disposition and retention schedule of RSA 33-A:3-a may be transferred to electronic records, as defined in RSA 5:29, VI, and the original paper records may be disposed of as the municipality chooses, subject to the requirements of other state or federal laws. Such records shall be stored in portable document format/archival (PDF/A) or another file format approved by the secretary of state and the municipal records board.

II. Electronic municipal records listed on the disposition and retention schedule of RSA 33-A:3-a that are to be retained for 10 years or less may be retained solely electronically in their original format if so approved by the municipal committee responsible for the records. The municipality is responsible for assuring the accessibility of the records for the retention period. If the records retention period exceeds 10 years or the municipal committee does not approve retention of the record solely electronically in an approved format, the records shall be transferred to paper, microfilmed, or stored in portable document format/archival (PDF/A) or another approved file format on a medium from which it is readily retrievable. At least once every 5 years from date of creation, the municipal committee shall review documents and procedures for compliance with guidelines issued by the secretary of state and the municipal records board.

Source. 2005, 187:5, eff. Aug. 29, 2005. 2006, 275:6, eff. June 15, 2006. 2016, 226:1, eff. Aug. 8, 2016. 2017, 96:1, eff. Aug. 7, 2017.

RECORDS RETENTION COMMITTEE

Will meet on Wednesday, July 31, 2013 at 2:00 pm

In the

Town Office, Wheelwright Room

*Last entry on Town website for
this Committee.*