REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See instructions below)

TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
WASHINGTON, DC 20408

1 FROM (Agency or establishment)
   Department of Education

2 MAJOR SUBDIVISION
   Office of Management

3 MINOR SUBDIVISION
   Regulatory Information Management Services

4 NAME OF PERSON WITH WHOM TO CONFER
   Sherry D. Smith

5 TELEPHONE
   202-401-0902

6 AGENCY CERTIFICATION
   I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 2 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,
   ☐ is not required, ☐ is attached, or ☐ has been requested

DATE 6/25/08

SIGNATURE OF AGENCY REPRESENTATIVE

Sherry D. Smith

TITLE
   Director, Records Management & Privacy Division/Departmental Records Officer

7 ITEM NO

8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION
   ED 031 Litigation Case Files

9 GRS OR SUPERSEDED JOB CITATION

10 ACTION TAKEN (NARA USE ONLY)

LEAVE BLANK (NARA use only)

JOB NUMBER
   N1-441-08-21

DATE RECEIVED 7-9-2008

NOTIFICATION TO AGENCY

In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10

DATE ARCHIVIST OF THE UNITED STATES 3/6/09

STANDARD FORM 115 (REV 3-
ED Records Schedule
ACS Tracking Number: OM:6-106:D7

SCHEDULE LOCATOR NO.: 031

DRAFT DATE: 4/7/2008

TITLE: Litigation Case Files

PROGRAM: Department-wide

NARA DISPOSITION AUTHORITY:

DESCRIPTION:

These files contain materials developed in the course of litigation and pre-litigation. Records include but are not limited to correspondence, pleadings, briefings, research, exhibits, affidavits, depositions, deposition exhibits, agreed final judgments and compromise settlement agreements.

As these records may be maintained in different media formats, this schedule is written to authorize the disposition of the records in any media (media neutral). Records that are designated for permanent retention and are created and maintained electronically will be transferred to NARA in an approved electronic format.

DISPOSITION INSTRUCTIONS:

a  Record Copy

    TEMPORARY

    Cut off annually upon closure of case  Destroy/delete 5 years after cutoff

b  Record Copy of Landmark Cases

    Cases involving proceedings that result in published court opinions

    PERMANENT

    Cut off annually upon closure of case  Transfer nonelectronic records to the National Archives 5 years after cutoff  Transfer electronic records to the National Archives 5 years after cutoff and every 5 years thereafter, with any related documentation and external finding aids, as specified in 36 CFR 1228 or standards applicable at the time.
ED Records Schedule
ACS Tracking Number: OM:6-106:D7

c Attorney Working Files

Attorney working files containing background and case-related documentation not appropriate for inclusion in the final case file

TEMPORARY

Cut off annually upon close of case  Destroy when no longer needed for administrative or reference purposes

d. Duplicate copies regardless of medium maintained for reference purposes and that do not serve as the record copy

TEMPORARY

Destroy/delete when no longer needed for reference

IMPLEMENTATION GUIDANCE:

Landmark cases include cases resulting in a legal precedent that establishes or affirms Department policy with respect to education issues of national importance  A Federal appellate court will usually have adjudicated these cases

ARRANGEMENT/ANNUAL ACCUMULATION:

PREVIOUS NARA DISPOSITION AUTHORITY:

SPECIFIC LEGAL REQUIREMENTS:

SPECIFIC RESTRICTIONS:

LINE OF BUSINESS: Administration/Departmental