

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See instructions below)</i>	
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

LEAVE BLANK (NARA use only)	
JOB NUMBER <i>NI-441-08-21</i>	
DATE RECEIVED <i>7-9-2008</i>	
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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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 <i>3/6/09</i>	ARCHIVIST OF THE UNITED STATES <i>Adrienne Thomas</i>

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 <i>Sherry D. Smith</i>	TITLE Director, Records Management & Privacy Division/Departmental Records Officer
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7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
1	ED 031 Litigation Case Files		

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 ~~70~~ or standards applicable at the time.

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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

non record

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