

STATE OF VERMONT GENERAL RECORD SCHEDULE

Issued to: All Agencies

GRS-1000.1062: Marketing Records

Last Revised: 12/15/2011



Vermont State Archives and Records Administration
Vermont Office of the Secretary of State

GRS-1000.1062: Marketing Records

Classification: GENERAL (Marketing)

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This general record schedule applies to any agency, board, department, commission, committee, branch, instrumentality, or authority of the state or any agency, board, committee, department, branch, instrumentality, commission, or authority of any political subdivision of the state that produces or acquires the records listed on this record schedule in the course of public agency business. Record means any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** State agencies **MUST** have a Notice of Adoption (VSARA-11) acknowledged by the Vermont State Archivist and on file with the Vermont State Archives and Records Administration (VSARA) prior to using any general record schedule. Use of a General Record Schedule (GRS) to destroy records without proper notification is not permitted. In addition, internal policies must be established to assure that the requirements outlined in any GRS are being applied across the agency. General Record Schedule (GRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a. Local public agencies do not have to submit a Notice of Adoption; however, internal policies should clearly cite any general schedules that have been adopted and associated GRS numbers. If a GRS does not meet an agency's legal or administrative needs, the agency should continue to use any applicable disposition orders that have been issued for its records or seek agency specific record schedules through VSARA's Targeted Assistance Program (TAP).
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on GRS-1000.1062 may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** GRS-1000.1062 reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.

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GRS-1000.1062: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, marketing and promoting goods and services by public agencies.

Retention: Marketing publications, including newsletters, and advertisements shall be retained until campaign or distribution is completed or closed, plus an additional three (3) years and then appraised by the Vermont State Archives and Records Administration (VSARA) for continuing value. Registries that serve as the formal repository of marketing information and activities shall be retained until superseded, then appraised for continuing value. Copies of publications should be offered to the Vermont Department of Libraries pursuant to 22 V.S.A. § 605.

Retain marketing plans until superseded and marketing reports until complete, plus an additional three (years) and then destroy if no longer administratively significant. If a marketing plan or report has significant administrative value, retain permanently and use the retention requirements in GRS-1000.1102 (Administrative Policy Records).

Marks, such as trademarks, labels, seals, and similar devices used to signify ownership, quality, manufacture, or origin, are archival records and shall be retained permanently. Marks and any associated certificates of registration are eligible for transfer into the Vermont State Archives three (3) years after expiration or discontinuance of use.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the marketing process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

Public Access: Review

MINIMUM RECORDKEEPING REQUIREMENTS for Specific Marketing Records (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Minimum Retention/Disposition:
GRS-1000.1062.112 Advertisements Public Access: <i>General</i>	Use for notices not required by law, such as posters or paid announcements in the print, broadcast, or electronic media, designed to attract public attention or patronage. Includes photographs, artwork, scripts, and similar records used to create advertisements.	Conditional Archival	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Confirm
GRS-1000.1062.141 Authorizations Public Access: <i>Review</i>	Use for written permissions from the agency allowing recipients to use certain marks owned by the agency. Original requests or applications for authorization shall be retained until no longer needed administratively.	Temporary (Legal)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (General)

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GRS-1000.1062.26	Use for contracts and similar agreements, including photograph releases, along with all supporting documentation. For detailed records retention requirements for contracts use GRS-1000.1126 (Contracting Files).	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Destroy (General)
Contracts			
Public Access: <i>Review</i>			
GRS-1000.1062.55	Use for lists of names and contact information compiled for marketing purposes, including price lists.	Temporary (Administrative)	RETAIN UNTIL: Superseded PLUS: 0 Year(s) THEN: Destroy (General)
Lists			
Public Access: <i>Review</i>			
GRS-1000.1062.181	Use for stamps, labels, seals, trademarks, and similar marks used to signify ownership, quality, manufacture, or origin. For registered marks, includes certificates of registration.	Permanent (Archival)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Archives
Marks			
Public Access: <i>Review</i>			
GRS-1000.1062.69	Use for marketing plans, including supporting material. For plans that have significant administrative value, retain permanently and use the retention requirements for Plans (reports) in GRS-1000.1102 (Administrative Policy Records).	Temporary (Administrative)	RETAIN UNTIL: Superseded PLUS: 3 Year(s) THEN: Destroy (General)
Plans (reports)			
Public Access: <i>General</i>			
GRS-1000.1062.72	Use for press releases developed for marketing purposes.	Temporary (Administrative)	RETAIN UNTIL: Calendar Year Ends PLUS: 1 Year(s) THEN: Destroy (General)
Press releases			
Public Access: <i>General</i>			
GRS-1000.1062.74	Use for marketing publications, including newsletters. Includes promotional material, and recorded evidence of terms and conditions. In addition to this record schedule, copies of publications should be offered to the Vermont Department of Libraries pursuant to 22 V.S.A. § 605.	Conditional Archival	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Confirm
Publications			
Public Access: <i>General</i>			
GRS-1000.1062.81	Use for registries, databases, and similar records and systems that contain marketing information.	Conditional Archival	RETAIN UNTIL: Superseded PLUS: 0 Year(s) THEN: Confirm
Registers			
Public Access: <i>Review</i>			
GRS-1000.1062.144	Use for reports on marketing activities. For reports that have significant administrative value, retain permanently and use the retention requirements for Reports in GRS-1000.1102 (Administrative Policy Records).	Temporary (Administrative)	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Destroy (General)
Reports			
Public Access: <i>General</i>			

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Appendix A: Appraisal Values

An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value but not always.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special circumstances.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

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Appendix B: Public Access Requirements

A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

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Appendix C: Retention Requirements

A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

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Appendix D: Disposition Requirements

A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.

Disposition	Description	Usage
Archives	Retain indefinitely. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate temporary records from archival records in accordance with the approved records schedule.	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to the Archives.

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Appendix E: Legal References

GRS-1000.1062: Marketing Records		<i>Review for Exemption?</i>
1 V.S.A. § 315	Statement of policy [related to free and open examination of records]	Yes
1 V.S.A. § 316	Access to public records and documents	No
1 V.S.A. § 317	Definitions; public agency; public records and documents	Yes
1 V.S.A. § 317(c)(30)	[Public record exemption: marketing database applications]	Yes
1 V.S.A. § 318	Procedure [related to producing records for inspection]	No
1 V.S.A. § 319	Enforcement [related to the denial of a request for public records]	No
1 V.S.A. § 320	Penalties [related to court orders for the production of any public agency records]	No
10 V.S.A. § 2721	Vermont forestry and forest products viability program	No
10 V.S.A. § 330	The farm-to-plate investment program; creation; goals; tasks; methods	No
10 V.S.A. § 484	Travel information council; creation, membership, terms	No
10 V.S.A. § 485	Official tourist information centers	No
10 V.S.A. § 486	Official directional signs	No
10 V.S.A. § 487	Other information	No
10 V.S.A. § 644	Vermont film corporation; purpose; creation	No
10 V.S.A. § 645	Powers and duties of the corporation [related to Vermont film corporation]	No
10 V.S.A. § 653	Travel and recreation council; functions	No
10 V.S.A. § 661	Travel promotion matching fund program	No
20 011 CVR 006	General regulations pertaining to the Vermont seal of quality program	No
23 V.S.A. § 3216	Governor's snowmobile council	No

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24 V.S.A. § 2744	Publicity fund	No
3 V.S.A. § 2471d	Vermont film and new media advisory board	No
3 V.S.A. § 2476	Department of tourism and marketing	No
3 V.S.A. § 2502	Market Vermont program	No
3 V.S.A. § 2504	Market Vermont logo	No
3 V.S.A. § 2506	Penalties [related to using the market Vermont logo without authority]	No
30 000 CVR 043	8.000 Cable Television	No
6 V.S.A. § 173	Designation of brands, labels or trademarks	No
6 V.S.A. § 250	Legislative declaration [related to agricultural and marketing rules]	No
6 V.S.A. § 252	Vermont apple marketing board	No
6 V.S.A. § 253	Powers and duties of the Vermont apple marketing board	No
6 V.S.A. § 253a	Vermont agricultural commodity marketing boards	No
6 V.S.A. § 254	Authority of the secretary [related to marketing rules]	Yes
6 V.S.A. § 2962a	Purpose; powers and duties [related to agricultural development]	No
6 V.S.A. § 2963	Agricultural development division	No
6 V.S.A. § 2963a	Vermont producers; diversified agriculture	No
6 V.S.A. § 2964	Vermont products; identification and definition	No
6 V.S.A. § 2966	Agricultural development board; organization; duties and authority	No
6 V.S.A. § 2972	Powers and duties [related to the Vermont dairy promotion council]	No
6 V.S.A. § 486	Trademark [related to maple products]	No
DMM 707	Mailing standards of the United States postal service: periodicals	No

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