

**TITLE 1 GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 18 EXECUTIVE RECORDS RETENTION AND DISPOSITION SCHEDULES (ERRDS)**  
**PART 352 ERRDS, EDUCATIONAL RETIREMENT BOARD**

**1.18.352.1 ISSUING AGENCY:** Commission of Public Records - State Records Center and Archives  
[1.18.352.1 NMAC - Rp, 1.18.352.1 NMAC, 4/5/2004]

**1.18.352.2 SCOPE:** educational retirement board  
[1.18.352.2 NMAC - Rp, 1.18.352.2 NMAC, 4/5/2004]

**1.18.352.3 STATUTORY AUTHORITY:** Section 14-3-6 NMSA 1978. The administrator shall establish a records management program for the application of efficient and economical management methods for the creation, utilization, maintenance, retention, preservation and disposal of public records.  
[1.18.352.3 NMAC - Rp, 1.18.352.3 NMAC, 4/5/2004]

**1.18.352.4 DURATION:** permanent  
[1.18.352.4 NMAC - Rp, 1.18.352.4 NMAC, 4/5/2004]

**1.18.352.5 EFFECTIVE DATE:** April 5, 2004, unless a different date is cited at the end of a section.  
[1.18.352.5 NMAC - Rp, 1.18.352.5 NMAC, 4/5/2004]

**1.18.352.6 OBJECTIVE:** To establish a record retention schedule for the management and orderly retirement of records necessary for the carrying out the Public Records Act.  
[1.18.352.6 NMAC - Rp, 1.18.352.6 NMAC, 4/5/2004]

**1.18.352.7 DEFINITIONS:**

- A. **“Administrator”** means the state records administrator (Section 14-3-2 NMSA 1978).
- B. **“Agency”** means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico (Section 14-3-2 NMSA 1978).
- C. **“Commission”** means the state commission of public records (Section 14-3-2 NMSA 1978).
- D. **“Custodian of record”** means contracted fiscal custodian, official holder of assets.
- E. **“Pending litigation”** means a proceeding in a court of law whose activity is in progress but not yet completed.
- F. **“QED”** refers to the investment accounting system maintained by the official holder of assets.
- G. **“Reciprocity retirement”** means service credit earned under PERA and ERA that can be combined for retirement eligibility and benefits. The retirement application must be filed with the system where the member is last employed.
- H. **“Records management”** means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.
- I. **“Records retention and disposition schedule”** means a document prepared as part of a records retention program that lists the period of time for retaining records.  
[1.18.352.7 NMAC - Rp, 1.18.352.7 NMAC, 4/5/2004]

**1.18.352.8 ABBREVIATIONS AND ACRONYMS:**

- A. **“ARP”** stands for alternative retirement plan.
- B. **“DOB”** stands for date of birth.
- C. **“DOD”** stands for date of death.
- D. **“EFTPS”** stands for electronic federal tax payment system.
- E. **“ER”** stands for educational retirement.
- F. **“ERA”** stands for Educational Retirement Act.
- G. **“ERB”** stands for educational retirement board.
- H. **“IRS”** stands for internal revenue service
- I. **“NMAC”** stands for New Mexico administrative code.
- J. **“NMSA”** stands for New Mexico statutes annotated.
- K. **“PERA”** stands for public employees retirement association.

- L. “QDRO” stands for qualified domestic relations order.
- M. “RHCA” stands for retiree health care authority.
- N. “USC” stands for United States code.

[1.18.352.8 NMAC - N, 4/5/2004]

**1.18.352.9 INSTRUCTIONS:**

- A. For records of a general administrative nature, refer to the General Administrative Records Retention and Disposition Schedule, 1.15.2 NMAC.
- B. For records of a financial nature, refer to the General Financial Records Retention and Disposition Schedule, 1.15.4 NMAC.
- C. For records of a personnel nature, refer to the General Personnel Records Retention and Disposition Schedule, 1.15.6 NMAC.
- D. For records of medical nature, refer to the General Medical Records Retention and Disposition Schedule, 1.15.8 NMAC.
- E. Retention periods shall be extended until six months after all current or pending litigation; current claims, audit exceptions or court orders involving a record have been resolved or concluded.
- F. The descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are filed in a file that are not listed in the description, and similarly, not every file will contain an example of each document listed in the description.
- G. Confidentiality is denoted for files likely to contain confidential materials, but files without a confidentiality note nonetheless may contain confidential or privileged materials, and failure to include an express confidentiality note in the description of a file does not waive the confidential or privileged nature of those materials. Some or all materials in a file may be confidential. Refer questions concerning the confidentiality of a file or portions of a file to legal counsel for the agency.
- H. Access to confidential documents and confidential files shall be only by authorization of agency, attorney general or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies, shall only be upon specific statutory authorization or court order.
- I. All records, papers or documents may be photographed, microfilmed, micro-photographed or reproduced on film. Such photographs, microfilm, photographic film or microphotographs shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies (Sections 14-1-5, 14-1-6 NMSA 1978).
- J. Data processing and other machine readable records. Many paper records are being eliminated when the information has been placed on magnetic tapes, disks, or other data processing media. In these cases, the information on the data processing medium should be retained for the length of time specified in records retention and disposition schedules for paper records and should be subject to the same confidentiality and access restrictions as paper records. When the destruction of a record is required, all versions of said record shall be electronically over-written on machine readable media on which it is stored (or media destroyed). See also 1.13.70 NMAC: Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems. [1.18.352.9 NMAC - Rp, 1.18.352.9 NMAC, 4/5/2004]

**1.18.352.10 - 1.18.352.20 [RESERVED]**

**1.18.352.21 EMPLOYER’S MONTHLY CONTRIBUTION REPORT FILES:**

- A. **Program:** accounting
  - B. **Maintenance system:** alphabetical by name of employer, then chronological by month
  - C. **Description:** monthly service credit contribution reports submitted to ERB by New Mexico educational employer’s payroll offices. Report shows member’s name, monthly salary, contributions; employer’s name, employer’s contributions, overpayment of contributions, underpayments of contributions, total contributions received, alternative retirement plan contributions, return to work program contributions, PERA retiree contributions, late fee penalties, etc. File may also contain *refund of overpayment on purchased service*, *journal voucher* for purchasing service credit, *payroll deduction purchase service agreement* and *adjustment to monthly contribution* report, etc.
  - D. **Retention:** 50 years after close of fiscal year in which created, then transfer to archives for review and final disposition.
- [1.18.352.21 NMAC - Rp, 1.18.352.101, 4/5/2004]

**1.18.352.22 ER MEMBERSHIP FILES:**

**A. Program:** membership

**B. Maintenance system:** alphabetical by employee surname

**C. Description:** record concerning members who have been employed by an ERA-affiliated employer and have made contributions to ERB. File may contain: *certificate of employment [form 42]*, *designation of beneficiary under option b* form, copies of birth, baptismal, marriage or death certificates; *exemption of service* form, *application to purchase exempt service credit* form; *exempt calculation*, *exempt letter*; *certification of wages for purchase of allowed service* form (*out of state employment, private school employment in New Mexico and military service*), military discharge form [DD214]; *direct rollover to ERB transfer request* form; *refund of overpayment on purchased service* form; *notification of death* on member or beneficiary; *death benefit tracking log* form; *repayment computation of withdrawn contributions* form; *estimate of ERA benefit* form; *statement of release*; *PERA service verification* form; *ERA retirement computation under NM Reciprocity Act* form; *benefit computation for age or service retirement, or death while eligible* form; *application for retirement* form; *request for refund or rollover of ERB contributions* form; *payroll deduction agreements* form; *data processing change* form; *QDRO packet*; correspondence, etc. After member retirement, file may also include: *final selection of benefit* form; *federal and state tax deduction* form; *direct deposit* form; death certificate; *designation of survivors benefits* form; *designation of beneficiary (ex spouse)* form; *data processing change* form; *independent contractor application (employee and employer) and approval letter*; *application for return to work program* form; *death condolence letters*; *benefit amount letter*; *affidavit acknowledgment letter*; *request for tax levy letter*; *approval for reduction of benefit letter*; *benefit pop up letter*; *late payroll tracking* form; etc.

**D. Retention:**

(1) **Retired members:** ten years after date final annuity payment made to member, members estate, beneficiary or beneficiary's estate

(2) **Non-vested members:** 100 years from member's date of birth

(3) **Vested members who die before retirement:** ten years after beneficiary receives final annuity payment or refund of contributions paid to beneficiary or estate if applicable

**E. Confidentiality:** Portions of this record may be confidential per: 5 USC 552a (social security number); Section 24-14-27 NMSA 1978 (birth and death certificates); Section 14-6-1 NMSA 1978 (medical information).

**F. Imaging system:** An imaging system is used to capture, store and access all *ER membership files*. As an imaging system, any document captured can be printed upon request.

[1.18.352.22 NMAC - Rp, 1.18.352.108 NMAC, 4/5/2004]

[Membership files are scanned onto the imaging system and hardcopy files sent for storage at the SRCA. Within eighteen months after approval of this RRDS and submission of an updated and approved imaging plan, ERB will compile a process of quality assurance in accordance with 1.14.2 NMAC, Microphotography Systems, Microphotography Standards, that will enable the ERB to destroy the paper copy of these records.]

**1.18.352.23 ER MEMBERSHIP SYSTEM:**

**A. Program:** membership

**B. Maintenance system:** numerical by primary key [member's social security number]

**C. Description:** system used to track, monitor and calculate member contributions, salaries earned, purchased service calculations, benefit calculations, etc. Data include: member's name, social security number, date of birth, address, previous name, marital status, employer, employment status, annual wages earned, contributions made, contributions refunded, type of service purchased, number of quarters purchased, benefit tablet, refund data, etc.

**D. Retention:**

(1) **Retired members:** ten years after date final annuity payment made to member, members estate, beneficiary, or beneficiary's estate

(2) **Non-vested members:** 100 years from member's date of birth

(3) **Vested members who die before retirement:** ten years after beneficiary receives final annuity payment or refund of contributions paid to beneficiary or estate if applicable

**E. Confidentiality:** Portions of this record may be confidential per 5 USC 552a (social security number)

**F. Hardcopy input documents:** All documents used as input for *ER membership services system* are filed separately or in the *ER membership file*. Those documents include but are not limited to the following:

*certification of employment* [form 42], *employers monthly contribution report*, 1.18.352.21 NMAC, *request for information form* and *application for retirement form*.

**G. Hardcopy output documents:** Because this is a data-based system, reports may be generated upon request or demand. These documents are either mailed to the ER member or filed in the *ER membership* file. Some documents generated by this system include: quarter-by-quarter history, individual member contribution report, *statement of account*, *buyback calculation*, *benefit estimate*, *calculation for non-taxable amount*, *final benefit calculation*, etc.

[1.18.352.23 NMAC - N, 4/5/2004]

#### **1.18.352.24 ER DISABILITY MEMBERSHIP FILES:**

**A. Program:** disability membership

**B. Maintenance system:** alphabetical by member name

**C. Description:** records concerning application for disability retirement by ER member. File may contain: *disability retirement information form*, *disability retirement application form*, *authorization to obtain information form*, *designation of beneficiary under option b form*, *disability retirement employment verification form*, *explanation of disability benefits form*, *medical board disability review form*, *disability approval or denial letter*, *final selection of benefit form*, doctor's statement defining medical disability, medical records, birth certificate, job description, related medical information, conclusion-of-law facts, testimony given, panels final decision, medical panels reason for not approving disability, etc.

**D. Retention:**

**(1) Approved:** incorporated into *ER membership file* when either member reaches age sixty or the disability status changes

**(2) Denied:** incorporated into *ER membership file* when appeal process has been exhausted

**E. Confidentiality:** Portions of file may be confidential per: 5 USC 552a (social security number) or Section 14-6-1 NMSA 1978 (medical information).

[1.18.352.24 NMAC - N, 4/5/2004]

#### **1.18.352.25 ER MEMBERSHIP DISABILITY SYSTEM:**

**A. Program:** disability membership

**B. Maintenance system:** numerical by primary key (member social security number)

**C. Description:** system used solely to calculate disability retirement benefits for ER members. Data include: member's name, social security number, date of birth, contribution history, etc.

**D. Retention:** until member reaches age sixty or the disability status changes, which ever is shorter

**E. Confidentiality:** Portions of file may be confidential per 5 USC 552a (social security number) or Section 14-6-1 NMSA 1978 (medical information).

**F. Hardcopy input documents:** All documents used as input for *ER disability membership system* are filed in the corresponding *ER disability membership file*. Those documents include the *disability retirement application form* and the *disability retirement employment verification form*.

**G. Hardcopy output documents:** Because this is a data-based system required reports and forms can be generated upon demand. These documents are either mailed to the ER member or filed in the corresponding *ER membership* file. Documents generated by this system include the *final selection of benefit form*, *final selection of benefit calculation*, etc.

[1.18.352.25 NMAC - N, 4/5/2004]

#### **1.18.352.26 PRIOR SERVICE CERTIFICATION:**

**A. Program:** records

**B. Maintenance system:** alphabetical by members surname

**C. Description:** record certifying employment for all ER employees working prior to 1957 in the New Mexico ERB-covered employer system. Certification may show: name, address, employee signature, years worked, position held, name of school, address of school, certifying signature, etc.

**D. Retention:** until January 2013, [fifty five years after the ERB retirement plan became effective in 1957], then transfer to archives for review and final disposition

[1.18.352.26 NMAC - Rp, 1.18.352.106 NMAC, 4/5/2004]

#### **1.18.352.27 POSTING LEDGERS:**

**A. Program:** records

- B. Maintenance system:** alphabetical by members surname
- C. Description:** record concerning ER school district employees between 1957 and 1971. Ledger may show name: address, employee signature, DOB, years worked, position held, name of employer, contribution amount, etc.
- D. Retention:** until January 2027 [55 years after 1971, when ERB membership became mandatory]
- E. Confidentiality:** Portions of file may be confidential per 5 USC 552a (social security number) [1.18.352.27 NMAC - Rp, 1.18.352.115 NMAC, 4/5/2004]

**1.18.352.28 CERTIFICATE OF EXEMPTION FROM MEMBERSHIP [ERA FORM 43]:**

- A. Program:** membership
- B. Maintenance system:** chronological by school year, then alphabetical by members surname
- C. Description:** record concerning ER employees who chose not to participate in the ER program. Record may include name, social security number, date of birth; date signed, date employed, position held, employer name, representative signature, member signature, notary public signature and seal, etc.
- D. Retention:** until January 2027 [fifty five years from 1971 when revocation was no longer allowed]
- E. Confidentiality:** Portions of file may be confidential per 5 USC 552a (social security number) [1.18.352.28 NMAC - Rp 1.18.352.104 NMAC, 4/5/2004]

**1.18.352.29 ER MEMBERSHIP INFORMATION CARDS:**

- A. Program:** records
- B. Maintenance system:** alphabetical by members name
- C. Description:** 3 x 5 card used to document school district staff employed between 1971-1980. Card may show employee name, social security number, school district name, membership status, contributions refunded, date of refund, etc.
- D. Retention:** until January 2036 [55 years from 1980]
- E. Confidentiality:** Portions of file may be confidential per 5 USC 552a (social security number) [1.18.352.29 NMAC - N, 4/5/2004]  
[These records are not scanned into the ERB imaging system.]

**1.18.352.30 ER RETIREE BENEFITS SYSTEM:**

- A. Program:** retiree benefits
- B. Maintenance system:** numerical by primary key (social security number)
- C. Description:** system monitors, tracks and calculates retired member's annuity information. Data may include: member's name, address, DOB, social security number, federal and state tax deduction information, direct deposit information, retirement date, retirement option chosen, retirement type (divorce, disability, PERA or ERA reciprocity), insurance deductions, gross benefit amount, non taxable amount, net benefit amount, original benefit amount, adjusted benefit amount, retirement status, beneficiary social security number, child support amounts, tax levy's, additional deductions, etc.
- D. Retention:**
  - (1) **Retired members:** ten years after date final annuity payment made to member, member's estate, beneficiary, or beneficiary's estate
  - (2) **Non-vested members:** 100 years from member's date of birth
  - (3) **Vested members who die before retirement:** ten years after beneficiary receives final annuity payment or refund of contributions paid to beneficiary or estate if applicable after member retires, additional documents generated are incorporated into *ER membership file*, 1.18.352.22 NMAC.
- E. Confidentiality:** Portions of this record may be confidential per 5 USC 552a (social security number).
- F. Hardcopy input documents:** When member retires, information is transferred electronically from *ER membership system*, 1.18.352.23 NMAC. Other data may be entered from the *direct deposit form*, *state and federal tax deduction form*, *designation of beneficiary form*, *insurance listing report*, *PERA reciprocity retiree listing report*, etc. These additional records are filed in the *ER membership system*, 1.18.352.23 NMAC.
- G. Hardcopy output documents:** Because this is a data-based system, required reports may be generated upon request or demand. These documents are either mailed to the ER member, filed in the corresponding *ER membership files*, 1.18.352.22 NMAC, or filed with the *payroll register*, [1.15.4.404 NMAC].

Documents generated by this system include: *statement of monthly benefit and deductions form, monthly and daily audit trail, warrant register, 1.15.4.404 NMAC payroll register, reciprocity to PERA master listing report, daily and monthly payroll listing, etc.*

[1.18.352.30 NMAC - N, 4/5/2004]

**1.18.352.31 RECIPROCITY TO ERB REPORT:**

- A. Program:** retiree benefits
- B. Maintenance system:** chronological by retirement month, then alphabetical by member's name
- C. Description:** copy of ERB report concerning reciprocity retirement of PERA member's. Report shows effective retirement date, payee name social security number, beneficiary name, beneficiary social security number, amount paid to PERA by ERB, retirement type, net benefit, etc.
- D. Retention:** until information supplied in report is verified to PERA payroll listing
- E. Confidentiality:** Portions of this record may be confidential per 5 USC 552a (social security number)

[1.18.352.31 NMAC - N, 4/5/2004]

[This report is generated by ERA and sent to PERA]

**1.18.352.32 RECIPROCITY TO PERA REPORT:**

- A. Program:** retiree benefits
- B. Maintenance system:** chronological by retirement month then alpha by member's name
- C. Description:** PERA report concerning reciprocity retirement of ERA members. Report shows social security number, payee name, reciprocity amount paid to ERB from PERA, etc.
- D. Retention:** until information supplied in report is verified to ERA payroll listing
- E. Confidentiality:** Portions of this record may be confidential per 5 USC 552a (social security number)

[1.18.352.32 NMAC - N, 4/5/2004]

**1.18.352.33 RHCA INSURANCE REPORT:**

- A. Program:** retiree benefits
- B. Maintenance system:** chronological by month, than numerical by social security number
- C. Description:** RHCA report concerning insurance premium to be deducted from retiree's monthly benefit amounts. Report shows retirees' social security numbers, names, current and previous amounts deducted, etc.
- D. Retention:** two years from end of fiscal year for which created
- E. Confidentiality:** Portions of this record may be confidential per 5 USC 552a (social security number)

[1.18.352.33 NMAC - N, 4/5/2004]

**1.18.352.34 CONTRIBUTION REFUND AND ROLLOVER SYSTEM:**

- A. Program:** contribution refunds
- B. Maintenance system:** numerical by primary key
- C. Description:** System monitors, tracks and calculates all contributions refunded to ER member or beneficiary or rolled over to IRS qualified alternative plans. Data includes member's name, status (active, inactive, unallocated), social security number, address, contribution amounts, contribution history, school code, payment type, refund type (active, inactive, death, beneficiary, divorce), etc.
- D. Retention:**
  - (1) **Retired members:** ten years after date final annuity payment made to member, member's estate, beneficiary, or beneficiary's estate
  - (2) **Non-vested members:** 100 hundred years from member's date of birth
  - (3) **Vested members who die before retirement:** ten years after beneficiary receives final annuity payment or refund of contributions paid to beneficiary or estate if applicable
- E. Confidentiality:** Portions of file may be confidential per 5 USC 552a (social security number).
- F. Hardcopy input documents:** Members information is transferred electronically from *ER membership system* 1.18.352.23 NMAC. Additional information is entered from documents submitted by individual members, *request for a refund and/or rollover form* (death, divorce, pay alternative), affidavit of care and custody of

a minor child, marriage license, *death benefit computation* form, additional attachments, etc. These additional documents are file in the *ER membership file*, 1.18.352.22 NMAC.

**G. Hardcopy output documents:** Because this is a data-based system, reports may be generated upon demand with the exception of the *refund voucher report*, which is purged from the system after generated. These documents are either mailed to the ER member or filed in the *ER membership files*. Reports generated by this system may include: *refund distribution notice*; *statement of account*; *contribution history*; *monthly refund report*; *refund log report*; form *1099-R* (income tax), etc.

[1.18.352.34 NMAC - N, 4/5/2004]

**1.18.352.35 REFUND VOUCHER REPORT:**

**A. Program:** refund contributions

**B. Maintenance system:** chronological by fiscal year

**C. Description:** monthly report of ER contribution refunds and contribution rollovers. Report may show member's name, social security number, contribution amounts, taxable contribution amounts, compounded quarterly interest earned, amounts of gross monies paid out, etc.

**D. Retention:** six years after close of fiscal year in which generated

**E. Confidentiality:** Portions of file may be confidential per 5 USC 552a (social security number)

[1.18.352.35 NMAC - N, 4/5/2004]

**1.18.352.36 FEDERAL TAX PAYMENT FILE:**

**A. Program:** refunds, retiree benefits

**B. Maintenance system:** chronological by calendar year

**C. Description:** records concerning the verification of the electronic transfer of monies from the ERB to the IRS. Records document the receipt of monies by the St. Treasurer and the fiscal agent for the state. File may contain: *receipt of federal tax payments* showing date, warrant number, amount, EFTPS acknowledgment number, state treasurer signatures, fiscal agent signatures, etc. File also contains: the *EFTPS worksheet* showing phone number, employer id number, pin number, date, time of call, tax form number, tax filing year, tax payment amount, etc.

**D. Retention:** ten years from end of calendar year

[1.18.352.36 NMAC - N, 4/5/2004]

**1.18.352.37 ELECTION OF COVERAGE UNDER PERA [ERA FORM 44]:**

**A. Program:** administrative

**B. Maintenance system:** alphabetical by member's name

**C. Description:** form used by ER employees who choose retirement coverage under PERA. Form may show, name, social security number, maiden name, gender, date of birth, employer name, date employed, position held, signature, date signed, employer address, ERB director's signature and date signed.

**D. Retention:** 55 years after date created

[1.18.352.37 NMAC - Rp, 1.18.352.105 NMAC, 4/5/2004]

**1.18.352.38 ARP FILES:**

**A. Program:** records

**B. Maintenance system:** alphabetical by members name

**C. Description:** ARP form used by ERA employees who chose to participate in the ARP in lieu of ERA. File may show employee name, DOB, social security number, signature, carrier elected, date signed, employer name, effective date, certifying signature and title, date certified, etc.

**D. Retention:** 55 years after date created

[1.18.352.38 NMAC - N, 4/5/2004]

**1.18.352.39 CUSTODIAN REPORT:**

**A. Program:** investments

**B. Maintenance system:** chronological by month completed, then numerical by account number

**C. Description:** reports generated by the fiscal custodian of record concerning investment transactions processed for the month. Reports may show the amount of each security owned, the book cost, market cost and the amount of accrued income, etc.

**D. Retention:** 40 years from date account closed, then transfer to archives for review and final disposition  
[1.18.352.39 NMAC - N, 4/5/2004]

**1.18.352.40 EQUITY AND FIXED INCOME FILES:**

**A. Program:** investments  
**B. Maintenance system:** chronological by trade transaction date  
**C. Description:** record concerning trade broker transactions of ERB monies, for purchases of corporate bonds, treasury notes and mortgages. Record may contain justification for purchase or sale, purchase price, sale price, interest rate, mortgage payment date, name of security, purchase cost, number of shares being purchased, trade date, date sold, etc.

**D. Retention:** six years from end of fiscal year in which security was sold  
[1.18.352.40 NMAC - N, 4/5/2004]  
[ERB files are copies sent by the custodian of record.]

**1.18.352.41 EQUITY AND COMMINGLED FUND TRACKING SPREADSHEET:**

**A. Program:** investments  
**B. Maintenance system:** numerical by primary key [alphabetical by name of money manager]  
**C. Description:** electronic record transferred from the outside investment accounting system [QED] that is used for the tracking of stocks in the ERB fund. Data may include number of stocks purchased, number of stocks sold, purchase price, sale price, date purchased, date sold, market value of stocks held, etc.

**D. Retention:** six years from end of fiscal year in which stock is sold  
[1.18.352.41 NMAC - N, 4/5/2004]

**1.18.352.42 AFFIRMATION OF TRANSACTION:**

**A. Program:** investments  
**B. Maintenance system:** chronological by settlement date of transaction  
**C. Description:** record affirming or verifying that transactions between the trader and the broker have been completed. Record shows name of trading broker, trade date, settlement date, transaction type, transaction face amount, principal, interest, commission, security exchange commission fee, name of clearing broker, etc.

**D. Retention:** six years from end of fiscal year in which final transaction occurred.  
[1.18.352.42 NMAC - N, 4/5/2004]

**1.18.352.43 RECONCILIATION FILES:**

**A. Program:** investments  
**B. Maintenance system:** alphabetical by name of money manager, then chronological by state fiscal year and month  
**C. Description:** records concerning the reconciling of all transactions of the in-house investment accounting system with outside money manager and the custodian of record electronic system [QED]. File may contain printout of investment accounting money manager cash records, monthly statements, portfolio listing, balance sheet, reconciliation reports, daily reconciliation report, returns, etc.

**D. Retention:** six years from end of fiscal year in which created  
[1.18.352.43 NMAC - N, 4/5/2004]

**1.18.352.44 CORPORATE ACTION FILE:**

**A. Program:** investments  
**B. Maintenance system:** chronological by action date received from custodian of records  
**C. Description:** custodian of record notice concerning actions regarding stocks such as stock splits, mergers, etc. Record may show date and type of action, etc.

**D. Retention:** two years from end of the fiscal year in which action occurred  
[1.18.352.44 NMAC - N, 4/5/2004]

**1.18.352.45 PERFORMANCE REPORTS:**

**A. Program:** investments



**B. Maintenance system:** chronological by fiscal quarter date completed, then alphabetical by money manager name

**C. Description:** quarterly reports generated from the investment accounting system [QED] concerning market returns of the total ERB retirement fund and of each individual portfolio within the fund. Report may show comparison ranking to other public funds, investment return for the quarter, year-to-date totals, etc.

**D. Retention:** five years after close of fiscal year in which received  
[1.18.352.45 NMAC - N, 4/5/2004]

[ERB files are copies sent by the custodian of record.]

**1.18.352.46 ACTUARIAL FILE:**

**A. Program:** administrative services

**B. Maintenance system:** chronological by fiscal year

**C. Description:** record concerning actuarial research done by outside entity for ERB. File may contain actuarial evaluations, actuarial reports, operating tables, etc.

**D. Retention:** ten years from end of fiscal year in which created  
[1.18.352.46 NMAC - Rp, 1.18.352.114 NMAC 4/5/2004]

**HISTORY OF 1.18.352 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center under:

SRC Rule 72-14, Records Retention and Disposal Schedule for Educational Retirement Board, filed 7/19/72.

SRC Rule No. 83-04, Records Retention and Disposition Schedule for Educational Retirement Board, filed 8/30/83.

**History of Repealed Material:**

1.18.352 NMAC, ERRDS, Educational Retirement Board, filed 6/21/02 - Repealed effective 4/5/2004.