

## **York Adams Academy**

Title: Records Management

Number: 800

Status: Active

### **Legal References**

20 U.S.C. 1232g

24 P.S. 433

24 P.S. 518

65 P.S. 67.101 et seq

65 P.S. 67.102

65 P.S. 67.506

65 P.S. 67.708

65 P.S. 67.901

Federal Rules of Civil Procedure

Pol. 314

Pol. 324

Pol. 601

Pol. 801

### **Purpose**

It is the policy of the Joint Board of Directors (“Board”) of the York Adams Academy (“Academy”) to generate and retain only those records and data which are required for the effective operation of the Academy and to meet the obligations to students, parents/guardians, employees, and state, local and federal governments.

The Board recognizes the importance of establishing and maintaining a Records Management Plan that defines Academy staff responsibilities, complies with federal and state laws and regulations, and improves efficiency by reducing the time spent retrieving required information from duplicate and other unnecessary records and data.

A Records Management plan will provide better access, control, and retrieval of information resources within the Academy; preserve storage space; optimize network performance; make complying with litigation requirements more efficient; and ultimately lower the Academy’s overall information management costs.

### **Authority**

The Board shall retain, as a permanent record of the Academy, Board minutes, annual auditor's reports and annual financial reports. All other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders, shall be retained by the Academy for a period of not less than six (6) years.

All other Academy records shall be retained in accordance with state and federal law and regulations and the Academy Records Management Plan approved by the Board.

The Academy shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is *strictly prohibited*.

### **Definitions**

**Electronic Mail (E-mail) System** - a system that enables users to compose, transmit, receive and manage text and/or graphic electronic messages and images across local area networks and through gateways connecting other networks. This information consists primarily of messages but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets, and other electronic documents.

**Electronic Records** - include numeric, graphic, and text information, which may be recorded, on any medium capable of being read by a computer and which satisfies the definition of a record. Electronic records include, but are not limited to: magnetic media such as computer tapes, disks, optical disks, diskettes and other electronic storage devices and electronic filing systems containing records.

**Litigation Hold** - is the preservation of records that are potentially relevant to current or future litigation.

**Records** - information, regardless of physical form or characteristics, that documents a transaction or activity of the Academy and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the Academy. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.

**Records Management Plan** - the system implemented by the Academy for the retention, retrieval, and disposition of all records generated by Academy operations.

**Records Retention Schedule** - a comprehensive listing stating retention periods and proper disposition of records.

### **Delegation of Responsibility**

#### **Records Coordinator**

In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Board policy, the Board designates the Superintendent of Record or designee as the Academy's Records Coordinator.

The Records Coordinator shall be responsible to:

1. Ensure that training appropriate to the user's position and level of responsibility is provided. Such training may include:
  - a. A review of this policy, administrative regulations and Records Management Plan.
  - b. Operation, care and handling of the equipment and software.
  - c. Requirements of the Records Retention Schedule.
  - d. Protocols for preserving and categorizing Academy records.
  - e. Procedures and responsibilities of Academy staff in the event of a litigation hold.
  - f. Identification of what is and what is not a record.
  - g. Disposal of records.
2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.
3. Monitor changing technology and legal developments to recommend revisions to the Records Management Plan and/or Academy operations.
4. Identify, when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of at regular intervals of at least once every twelve (12) months.

#### Records Management Committee

A committee responsible for the development and recommendation of the Academy's Records Management Plan shall be established by the Board. The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the recommended Plan. Members of the Committee shall include the:

1. Open Records Officer.
2. Superintendent of Record.
3. Board Secretary.
4. Academy solicitor.
5. Information Technology Director or designee.
6. Business Manager.
7. Board member(s).

The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.

## **Guidelines**

### **Records Management Plan**

The Academy's Records Management Plan shall be the primary means for the retention, retrieval, and disposition of manual and electronic records, including e-mails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records.

The Records Management Plan shall include:

1. Comprehensive listing of records and data relating to the Academy.
2. Standards necessary to distinguish records of the Academy from the supplemental personal records of individual employees.
3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced, and disposed.
4. Maintenance and preservation measures to protect the integrity of records and data.
5. Procedures and employee designated for determining whether an item is a record.
6. Procedures for adding, revising or deleting records and data, and any other details necessary to implement the Records Management Plan.
7. Records Retention Schedule.
8. Provisions for the storage and retrieval of records in the event of an emergency or disaster.
9. Staff positions authorized to access Academy records.
10. Procedures to be implemented in the event of a litigation hold that immediately suspends disposition of all records relevant to the current or potential claim. Such procedures shall specify:
  - a. Who can initiate a litigation hold.
  - b. How and to whom a litigation hold is communicated.
  - c. Who will determine which records are subject to the litigation hold.
  - d. Who will be responsible for collecting and preserving such records and data.
  - e. Who will be responsible for monitoring and ensuring the Academy's compliance with the litigation hold.
  - f. In what format the records will be collected.

When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc.

For any record not covered by the Records Retention Schedule, the Records Management Committee shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule.

The Academy shall maintain and dispose of records in a manner that protects any sensitive, proprietary or confidential information or individual privacy rights, and helps conserve natural resources.

### Manual Records

Manual records, which include all records not stored electronically, shall be retained and disposed of in accordance with the Records Management Plan.

Manual records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The Academy shall develop and maintain adequate and up-to-date documentation about each manual record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Define the contents of the system, including record formats.
3. Identify vital records and information.
4. Determine restrictions on access and use.

### Electronic Records

It is the policy of the Academy to retain only those electronic records minimally necessary for student instruction and Academy business in accordance with the Record Retention Schedule. As such, all Academy personnel are directed to create and retain only those electronic records necessary for student instruction and Academy business on the Academy's information network.

Electronic records shall be retained and disposed of in the same manner as records in other formats and in accordance with the Records Management Plan.

Electronic records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The Academy shall develop and maintain adequate and up-to-date documentation about each electronic record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Specify all technical characteristics necessary for reading or processing the records stored on the system.
3. Identify all defined inputs and outputs of the system.
4. Define the contents of the system, including record formats and database tables.
5. Identify vital records and information.
6. Determine restrictions on access and use.
7. Describe update cycles or conditions.

### E-mail Records

All e-mails sent or received by Academy e-mail users shall be archived for a minimum period of three (3) years.

E-mail messages, in and of themselves, do not constitute records. Retention and disposition of e-mail messages depend on the function and content of the individual message.

Records on an e-mail system, including messages and attachments, shall be retained and disposed of in accordance with the Academy's Records Management Plan.

E-mail records may be maintained as an electronic record or be printed and maintained as a manual record.

For each e-mail considered to be a record, the following information shall be retained:

1. Message content.
2. Name of sender.
3. Name of recipient.
4. Date and time of transmission and/or receipt.

### Contractors

Records created or maintained by contractors employed by the Board shall be retained and disposed of in accordance with the Records Management Plan.

### Exceptions

This policy shall not apply to:

1. Student records. Student records are managed under the Academy's Student Records Plan and Board policy.
2. Items that do not meet the definition of a record, which shall not be subject to retention.