

LEBANON SCHOOL DISTRICT

POLICY: 800
SECTION: OPERATIONS
TITLE: RECORDS MANAGEMENT
ADOPTED: November 17, 2008
REVISED: October 15, 2018
REVIEWED: February 11, 2019

800. RECORDS MANAGEMENT

Purpose

The Board recognizes the importance of establishing and maintaining a Records Management Plan that defines district staff responsibilities and complies with federal and state laws and regulations.

Authority

The Board shall retain, as a permanent record of the district, 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 district for a period of not less than six (6) years.¹

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

The district shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is forbidden.²

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

¹ 24 P.S. 518..

² 65 P.S. 67.901.

but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets, and other electronic documents.

Litigation Hold - a communication ordering that all records and data relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.

Records - information, regardless of physical form or characteristics, that documents a transaction or activity of the district and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the district. 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.³

Records Management Plan - the system implemented by the district for the retention, retrieval, and disposition of all records generated by district 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 Open Records Officer as the district's Records Coordinator who shall serve as the chairperson of the Records Management Committee.

The Records Coordinator shall be responsible to:

1. Develop a district Record Management Plan for retention, retrieval and disposition of all records generated by district operations.
2. Identify an individual from each department who will responsible for the implementation of the district Record Management Plan in his/her department.

³ 65 P.S. 67.102.

3. Ensure that all identified records are properly disposed of in accordance with the Records Management Plan.
4. Ensure that training appropriate to the user's position and level of responsibility is provided. Such training may include:
 - a. Operation, care and handling of any equipment and software.
 - b. Requirements of the Records Retention Schedule.
 - c. Protocols for preserving and categorizing district records.
 - d. Procedures and responsibilities of district staff in the event of a litigation hold.
 - e. Identification of what is and what is not a record.
 - f. Disposal of records.
5. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.
6. Identify, when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of annually.
7. Evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.

Records Management Committee

A committee responsible for the development and recommendation of the district'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:⁴

1. Open Records Officer.
2. Superintendent.

⁴ 24 P.S. 433.

3. Board Secretary.
4. District solicitor.
5. Information Technology Director or designee.

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

Guidelines

Records Management Plan

The district's Records Management Plan shall be the principal 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:⁵

1. Comprehensive listing of records and data of the district.
2. Criteria to distinguish records of the school district 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. Preservation measures to protect the integrity of records and data.
5. Procedures 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.

⁵ 65 P.S. 67.708; 20 U.S.C.1232g.

9. Staff positions authorized to access district 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 district'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.⁶

The district 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, including but not limited to complying with Policy 800.1, relating to Confidentiality and Security of FBI Criminal History Record Information.

Manual Records

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

⁶ 65 P.S. 67.6708; 20 U.S.C. 1232g.

The district 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

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.

E-mail Records

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 district's Records Management Plan.

Email messages and attachments that do not meet the definition of records shall be deleted as required by the 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.⁷

⁷ 65 P.S. 67.506.