



**SECTION: OPERATIONS**

**POLICY: 824**

**TITLE: RECORDS MANAGEMENT PLAN**

**ORIGINAL:** May 22, 2017

**CURRENT REVISION:** April 4, 2022

**LAST REVIEWED BY THE COMMITTEE:**

**I. PURPOSE**

The Board of Directors of the Wissahickon School District recognizes the importance of establishing and maintaining a Records Management Plan that defines District staff responsibilities and complies with federal, state and local laws and regulations and the operational needs of the District.

**II. DEFINITIONS**

- A. **Electronic Mail (Email) 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.
- B. **Litigation Hold** - preserve a communication ordering that all record and data relating to an issue being - addressed by current or potential litigation or investigation for possible production during litigation or investigation.
- C. **Records** - Any recorded information, regardless of physical form or characteristic, 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 communication or activity of the District. The term includes a document, paper, letter, map, book, tape, photograph, film, video or sound recording, electronic records, and a data-processed or image-processed document.
- D. **Electronic record** – Any record that is created, received, maintained or stored on District workstations or central servers, archival or backup drivers or media. Examples include, but are not limited to:
  - a. Electronic mail (e-mail).
  - b. Word processing documents, PDF files, spreadsheets, power points, Photoshop, and other files.
  - c. Databases, videos, podcasts, voicemail.
- E. **Records Management Plan** - The system implemented by the District for the retention, retrieval and disposition of all records generated by District operations.
- F. **Records Retention Schedule** - The District's records retention schedule that has been approved by the Board including a comprehensive listing identifying retention periods for categories of records and proper disposition of records.

### **III. POLICY**

- A. The Board shall retain as a permanent record of the District all Board minutes, annual auditor's reports and annual financial reports. The District shall retain all other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders, for a period of not less than six (6) years or as required under the District's Records Retention Schedule.
- B. All other District records shall be retained in accordance with state and federal laws, regulations, and the District's Records Management Plan approved by the Board and the Records Retention Schedule.
- C. 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.
- D. Records Management Plan
  - a. The District's Records Management Plan and Records Retention Schedule shall be the principal means for the retention, retrieval and disposition of all manual and electronic records generated by District operations, including emails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records.
  - b. The Records Management Plan shall include:
    - i. A comprehensive listing of all categories of records and data of the District.
    - ii. Criteria to distinguish records of the District from the supplemental personal records of individual employees and students.
    - iii. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced and disposed.
    - iv. Preservation methods to protect the integrity of records and data.
    - v. Security measures to protect records and data.
    - vi. Data map or flow chart detailing the sources, routes and destinations of electronic records.
    - vii. Procedures for adding, revising or deleting records and data, and any other details necessary to implement properly the Records Management Plan.
    - viii. Updated Records Retention Schedule.
    - ix. Provisions for the storage and retrieval of records in the event of an emergency or disaster.
    - x. Staff positions authorized to access various District records.
  - c. For any record not covered by the Record Retention Schedule, the Records Management Committee shall determine how long the record shall be kept and recommend any necessary revisions to the Records Retention Schedule.
  - d. 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.
  - e. When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc.
- E. Contractors
  - a. Records created or maintained by contractors employed by the Board shall be retained and disposed of in accordance with the Records Management Plan and Records Retention

Schedule. All contractors shall be provided with a copy of this Policy and shall acknowledge in writing that they will comply with the terms of this Policy.

F. Litigation Hold Exception to Records Retention Schedule

- a. The District has a legal duty to preserve all records that may pertain to issues that are the subject of actual or threatened litigation against the District, its Board members, administration and/or employees.
- b. A litigation hold directive will be issued in a reasonable time period after the Board President, Superintendent and/or District Solicitor is made aware of such actual or threatened litigation. The litigation hold directive will be made to the following:
  - i. Records Coordinator;
  - ii. Legal Custodian of District Records such as the creator or originator of the record which may include electronic documents and e-mail messages; and
  - iii. Technology Director who will maintain E-mail and computer accounts of employees including separated employees that have been placed on a litigation hold.
  - iv. Individual employees who may have possession of or access to records subject to the litigation hold.

G. Compliance

- a. District employees must be made aware that violation of this policy, including the litigation hold, the Record Retention Schedule, or any other rule or procedure promulgated hereunder, may result in a variety of disciplinary actions. Disciplinary actions may include, but are not limited to, warnings, loss of privileges, position reassignments, oral and written reprimands, suspensions (with or without pay), dismissals and/or legal proceedings as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.
- b. Violations of this policy may be reported to appropriate legal authorities, whether local, state or federal law enforcement. The District will cooperate with such investigations as required by law.

H. Review

- a. This policy will be reviewed periodically by the District Records Management Committee in cooperation with other administrators to ensure the policy remains current including, but not limited to, the portions related to storage and maintenance of electronic records in light of the evolving technology structure of the District.

#### **IV. DELEGATION OF AUTHORITY**

A. Records Coordinator

- a. 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 or his/her designee(s) as the District's Records Coordinator who shall serve as the chairperson of the Records Management Committee.
- b. The Records Coordinator shall be responsible to:
  - i. Ensure that the necessary training is provided to the users based on their positions and levels of responsibility. Such training may include:
  - ii. 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. Procedures for retention and disposal of records.
  - g. Review the Records Management Plan periodically to ensure the record descriptions and retention periods are updated as necessary and in compliance with federal, state and local laws and regulations.
  - h. Identify when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of annually.
- B. Records Management Committee
- a. The Board shall establish a committee responsible for the development and recommendation of the District's Records Management Plan. The Records Committee shall consider the most efficient and economical means of implementing the recommended Plan. Members of the Committee shall include:
    - i. Open Records Officer
    - ii. District Solicitor
    - iii. Director of Technology
  - b. The Records Management Committee shall meet annually, to evaluate the effectiveness and implementation of the Records Management Plan and recommended changes as needed.
- C. Director of Technology
- a. The Director of Technology is responsible for ensuring compliance with this policy as it pertains to the retention of electronic records.
  - b. When an employee leaves the District, the Director of Technology is responsible for ensuring that any of the separating employee's electronic records are properly archived in accordance with this policy.

V. **REFERENCES**

Pennsylvania Public School Code of 1949, as amended – 24 P.S. §§ 4-433, 5-518

Pennsylvania Right-to-Know Law – 65 P.S. § 67.101, et seq.

Family Educational Rights and Privacy Act (FERPA) – 20 U.S.C. § 1232g; 34 CFR Part 99

United States Federal Rules of Civil Procedure – 16, 26, 34, 37, 45