

# **Document Retention Policy (DRAFT)**

## **Southwest Area Technology Team Collaborative Draft Policy Template**

### **1. Policy**

The Board of Education, recognizing that document retention is vital to the efficient operation of the School District and enacts the following record retention policy:

#### **1.1. Applicability**

This record retention policy shall apply to all employees, students, agents, independent contractors, and volunteers of the School District.

### **2. Records**

Pursuant to Utah law, a "public record" shall be defined as any record prepared, owned, used, in the possession of, and retained by a public body in the performance of an official function, from the time that it is created. Records exist in many formats, including, but not limited to paper, electronic, photographic, map, microfiche, tape, hard drive, DVD, CD, transparencies, charts, graphs, voicemail, PDA data, and text messages/instant messages. Regardless of the format, all records shall be retained in accordance with this record retention policy.

#### **2.1. Email/Electronic Records**

Email/electronic records shall be treated no differently than hard copy records. Each individual who sends or receives email/electronic records is responsible for retaining each applicable email/electronic record in accordance with this record retention policy. Wherever possible, each individual shall create subfolders within their individual email/electronic record system to store those email/electronic records which qualify as a public record. Each individual is responsible for record retention and shall provide all email/electronic records which qualify as public records to the system administrator for storage upon terminating their relationship with the School District.

The Superintendent shall work in conjunction with the system administrator to determine the most cost effective and reliable method of ensuring electronic record retention in accordance with this record retention policy, and shall publish that method to all individuals to whom this record retention policy applies.

### **3. Non-Records**

This record retention policy shall not apply to "non-records". "Non-records" include, but are not limited to, extra copies of documents retained only for convenience of reference, and letters of transmittal/routine correspondence that do not document significant activities of the School District. Each individual is solely responsible for ensuring that records in their possession are "non-records" rather than records subject to this record retention policy.

## **4. Retention**

All public records shall be retained according to the schedules listed below. All retention requirements shall be treated as minimum retention periods. Retention for longer periods is authorized if the individual has reason to believe that a record may be required beyond the minimum retention period for the efficient operation of the School District. Public records shall be retained in accordance with Utah State General Records Schedule. Documents not addressed within Utah State General Records Schedule may not be disposed of without approval <School or District>.

### **4.1 Exception to Minimum Retention Period**

One exception to the minimum retention period contained in General Schedule below shall be for records pertaining to collective bargaining and grievances, which shall not be destroyed or discarded without permission from the Superintendent or designee. A second exception shall apply to public records contained within General Schedule below which are also addressed by State and Federal regulations and statutes which require record retention for a period longer than that which is required within General Schedule. Should there be a conflict between the retention period contained within a regulation or statute and those contained in the General Schedule below, individuals shall abide by the longer retention period. Further, individuals shall retain public records until the expiration of any applicable statutes of limitations. Should an individual have questions regarding applicable retention periods, that individual shall address questions to the Superintendent or the Human Resources Director, who shall determine whether to seek advice of legal counsel.

## **5. Disposal**

### **5.1 Public Records**

Public records which have reached their minimum retention period contained within General Schedule (or State and Federal regulations and states,

whichever is longer), and which are no longer required for the efficient operation of the School District, may be disposed of. Disposal shall be made by a method which is guaranteed to ensure privacy of sensitive or confidential information. Special attention shall be made to records protected by FERPA, records containing private information, financial records, background checks, medical records, and those containing social security numbers. The superintendent or designee shall publish a document which prescribes the method of document disposal. No other method of disposal shall be utilized.

## **5.2 “Non-public Records”**

"Non-public records" may be destroyed at any time by any method. Check with the Human Resources Director or the Superintendent to assure the records are "non-public records."

## **6. Litigation, Investigations, and Freedom of Information Act Requests**

No records that are the subject of litigation, a pending investigation request, or a pending Government Records Access and Management Act (GRAMA) request shall be destroyed without permission from the Superintendent, even if otherwise scheduled for destruction pursuant to this policy. Any individual with knowledge of pending litigation, a pending investigation, or a GRAMA request shall immediately inform the Superintendent. The Superintendent shall direct all relevant individuals to immediately cease disposal of all records relevant to the pending litigation, pending investigation, or GRAMA request. Should questions arise as to what records are relevant to the pending litigation, pending investigation, or GRAMA request, the Superintendent shall direct the immediate cessation of the disposal of all School District records. The moratorium on the disposal of all records relevant to the pending litigation, pending investigation, or GRAMA request shall remain in effect for the duration of the litigation, investigation, or until the GRAMA request had been fully processed.

## **7. Failure to Adhere to this Record Retention Policy**

Failure to adhere to this record retention policy may result in applicable discipline, up to and including discharge from employment, termination of the contractor status, termination of the volunteer relationship, or expulsion from school. Further, removal, mutilation, or destruction of public records may result in civil and criminal liability.

20 USC § 1232g Family Educational Rights and Privacy Act of 1974  
20 USC § 7908 (NCLB)  
MCLA § 600.2165

## General Schedule

This is an abbreviated version of: SCHEDULE 1 ADMINISTRATIVE RECORDS Utah State General Records Retention Schedule.

### Abbreviations Used In This Schedule

- AV - As long as administratively valuable
- W - Until student withdraws or completes
- CE - Calendar year end
- CFR - Code of Federal Regulations
- FE - Fiscal year end
- US - Until Superseded
- P - Kept in perpetuity or forever and can not be discarded

**Student Academic Records - Break out into Teacher, School Administration, and District responsibilities (check GRAMA) - ensure that this schedule fits within state guidelines, find a list of non-records**

| Type of Document                            | Years | Type of Document   | Years |
|---|-------|--|-------|
| Student classroom assignment scores         | US    | Cumulative record of achievement in grades 9-12            | P     |
| Teacher lesson plans                        | AV    | Cumulative record of achievement in grades Pre-K through 8 | W+7   |
| Counseling records                          | AV    | Adult & vocational education records                       | W+7   |
| Test & academic measurement reports (9-12)  | P     | Disciplinary records                                       | 3     |
| Test & academic measurement reports (K-8)   | W+7   | District summaries of standardized tests                   | 3     |
| Birth Date Documentation*                   | AV    | Parental consent forms                                     | US+1  |
| Student accident report                     | 2     | Student withdrawal record transfer                         | AV    |
| Special population & services documentation | W+7   | Attendance records   | 2     |
| Student health records                      | 5     | Correspondance with parents/guardians                      | 2     |
| Emergency contact information/cards         | US/W  | Immunization records                                       | 3     |
| Student drivers education records           | 7     | Accreditation reports                                      | P     |
| Food service & health reports               | 5     | Text and library book records                              | 2     |
| Transportation records                      | AV    | School safety records                                      | 3     |

*\*Includes copies of birth certificates, church records, passport or immigration records, or other documents used to establish a date of birth*

## Accounting and Fiscal

| Type of Document                              | Years | Type of Document  | Years |
|---|-------|---|-------|
| Accounts payable ledgers                      | 7     | Checks paid and cancelled   | 9     |
| Accounts receivable ledgers                   | 10    | Checks, payroll   | 7     |
| Balance sheets                                | 5     | Donations   | 7     |
| Bank deposit records                          | 6     | Expense reports, employees  | 7     |
| Bank reconciliations                          | 8     | Financial statements  | P     |
| Bills, collectible                            | 7     | Fixed capital records   | P     |
| Bonds, sales or transfers                     | 15    | General journal, ledger and supporting papers   | P     |
| Bonds, registered                             | P     | Income tax returns  | 4*    |
| Building permits                              | 20    | Inventory records   | 3     |
| Capital stock sales, certificates and ledgers | P     | Invoices to customers   | 7     |
| Cash books                                    | P     | Invoices from sellers (vendors)   | 7     |
| Cash receipts and disbursement records        | 10    | Payroll register  | 7     |
| Cash sales slips                              | 3     | Petty cash records  | 3     |
| Charge slips                                  | 10    | Profit and loss statements  | P     |
| Check records                                 | 7     | Buy/sell stocks, bonds and mutual funds (also record of dividends, splits and reinvested dividends) | 4**   |
| Check register, dividend, expense             | 10    |   |       |

\*Retain for at least four years and preferably seven if space is not critical. Once the period has elapsed, the supporting documents may be discarded, but the returns and W-2s should be retained indefinitely.

\*\*Retain for four years after the asset is sold.

## District

| Type of Document   | Years | Type of Document   | Years |
|--|-------|--|-------|
| Annual reports   | P     | Easements  | P     |
| Capital stock certificates and stock ledger                      | P     | Election ballots   | 20    |
| Charters, constitution, bylaws and amendments                    | P     | Election records   | 10    |
| Contracts, employee (years after termination)                    | 6     | General cashbooks, treasurer and auditor                         | 25    |
| Contracts, government and labor unions (years after termination) | 6     | Incorporation records and certificates                           | P     |
| Contracts, vendor (years after termination)                      | 6     | Licenses and permits to do business (federal, state and local)   | P     |
| Dividend checks  | 10    | Retirement plan contributions (after assets have been withdrawn) | 4     |
| Dividend register  | P     | Stock, stock transfers and stockholder records                   | 4     |

## Insurance

| Type of Document | Years | Type of Document                | Years |
|------------------|-------|---------------------------------|-------|
| Accident reports | 12    | Claims, group life and hospital | 4     |

|                 |    |  |    |
|-----------------|----|--|----|
| Appraisals      | P  | Claims, workers compensation                         | 10 |
| Claims, vehicle | 10 | Expired policies, all types (years after expiration) | 3  |

## Legal

| Type of Document                       | Years | Type of Document | Years |
|--|-------|------------------|-------|
| Affidavits                             | 10    | Copyrights       | P     |
| Claims, litigation, breach of contract | P     | Mortgages        | P     |

## Personnel

| Type of Document                             | Years | Type of Document                                     | Years |
|--|-------|--|-------|
| Accident reports, injury claims, settlements | 7     | Injury frequency charts                              | 10    |
| Applications, changes, terminations          | 3     | Insurance records, group and employee                | 6     |
| Attendance and time sheet records            | 5     | Medical folders, employee                            | P     |
| Disability and sick benefits records         | 4     | Payroll records after termination                    | P     |
| Earnings records                             | P     | Pension plan applications, claims and correspondence | P     |
| Employee service records                     | P     | Salary and rate changes                              | 10    |
| Employee contracts                           | 7     | Performance records                                  | 7     |
| File for individual employee                 | 3     | Withholding exemption certificate                    | 3     |
| Garnishments                                 | 7     | Workers compensation reports                         | 11    |

## Property

| Type of Document       | Years | Type of Document                    | Years |
|------------------------|-------|-------------------------------------|-------|
| Appraisals             | P     | Maintenance and repair of buildings | 10    |
| Damage reports         | 7     | Maintenance and repair of machinery | 7     |
| Deeds and titles       | P     | Equipment records                   | P     |
| Depreciation schedules | P     | Sales                               | 7     |
| Inventory records      | 16    | Taxes                               | P     |
| Leases                 | P     | Water rights                        | P     |

## Taxation

| Type of Document                  | Years | Type of Document                                 | Years |
|-----------------------------------|-------|--|-------|
| Annuity or deferred payments plan | P     | Invoices to customers and from sellers (vendors) | 7     |
| Correspondence                    | 20    | Inventory reports                                | 16    |
| Depreciation schedules*           | 7     | Real estate                                      | 15    |
| Dividend register                 | P     | Sales and use tax records                        | P     |

|                                   |   |                                |   |
|-----------------------------------|---|--------------------------------|---|
| Employee withholding certificates | 8 | Social security                | P |
| Exemption status                  | P | Tax bill statements            | P |
| Excise reports                    | 5 | Tax returns and working papers | P |