Lenape Technical School
Administrative Guidelines
POLICY 800-AG-1 - RECORDS RETENTION SCHEDULE

How To Use The Records Retention Schedule

The Records Retention Schedule lists records that are created, received or retained as a result of district operations. The schedule includes a description of the records, format in which the records will be retained, retention period, and disposal code. The following information will assist in applying this schedule.

Record Forms

Media codes are used to identify the format(s) that the district may **use** to maintain specified records and are assigned as follows: (Code B – not used)

A. Paper
C. Electronic (machine readable)
D. Audiovisual (tapes, movies, film strips, etc.)
E. Cartographic (maps, drawings, blue prints, plans, etc.)
F. Photographic

Retention Periods

Retention periods listed on the schedule are given in years, unless otherwise indicated. Upon expiration of the retention period, all identified records will be disposed of in accordance with Board policy and this schedule.

Disposal Codes

Disposal codes are used to direct the final disposition of records. Records must be disposed of according to the assigned code listed on the schedule. Assigned disposal codes are as follows:

1. Routine Handling – No special precautions are necessary upon disposal. The records should be recycled or disposed of in accordance with standard district procedures.
2. Special Handling – The destruction of records containing privileged, confidential, exempt or sensitive information that requires special handling by shredding, burning, erasing or any other method that reduces information to an illegible condition.
3. Archival Retention – Records requiring permanent retention or records that have sufficient archival or historic value must be preserved in perpetuity.
4. Delete – For use with electronic records. When electronic records have met their retention period, they will be deleted.

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

Schedule

Record Description	Record Format	Retention Period (in years)	Disposal Code
Administrative Records			
Feasibility Studies	A,C	3	1,4
Keystone Exam Results	A,C	Permanent	3
Public Record Requests[1]	A,C	1 from date received or until all appeals have been exhausted	1,4
Comprehensive /Strategic Plans	A,C	One (1) copy permanent	3
Benefits / Insurance Records[1A]			
Claims[9]	A,C	6 after settlement	2,4
COBRA Records	A,C	6[9A]	2,4
Enrollment Forms	A,C	Term of benefits plus 6	2,4
Policies/Plans/Contracts	A,C	6 after expiration (in	1,4
Child Labor Records			
Applications for Work Permits	A,C	2 after graduation	2,4
Employment Report from Employers	A,C	2[1B]	2,4
Complaints/Challenges			
Investigation Records[2]	A,C,D,E,F	6 after final resolution	2,4
Made by District Employee(s)	A,C	6 after final resolution[2A]	2,4
Regarding District Employee(s)[3]	A,C	6 after employment ends	2,4
Regarding Instructional Materials or District Programs	A,C	6 after final resolution	1,4
District Organization Records			
District Boundaries/Attendance Areas	A,C,E	Permanent	3
Records/Photographs/Movies of Historical Value	A,C,D,F	Permanent	3
Employment Contracts			
Administrative Compensation Plan	A,B,C	Permanent	3
Collective Bargaining Agreements	A,B,C	Permanent	3
Individual Employment Contracts/Board Resolutions	A,C	Permanent	3
Facility Use Records			
Applications	A,C	6	1,4
Fee Schedule(s)	A,C	Current	1,4
Financial Records[4]			
Accounts Payable	A,C	6	1,4
Accounts Receivable	A,C	6	1,4
Adopted Annual Budget	A,B,C	10	1,4
Annual Financial Reports	A,B,C	Permanent	3
Annual Audit Reports	A,B,C	Permanent	3

Record Description	Record Format	Retention Period (in years)	Disposal Code
Bank Statements	A,C	6	1,4
Bond Issue Documents	A,C	Permanent	3
Check Registers	A,C	6	1,4
Deposit Slips	A,C	6	1,4
General Ledger	A, ,C	Permanent	3
Grant Records (Successful)	A,C	6 after close of grant, or period required by grant if longer	1,4
Investment Records	A,C	6 after cancellation	1,4
Purchase Orders	A,C	6	1,4
Tax Collection Records	A,C	6	1,4
IRS 1099	A,C	4	2,4
All other Financial reports of any kind (including bills, contracts, invoices, receipts & purchase orders.	A,C	6	1,4
Food Service Program Records[4A]			
Accounts/Records/Reports	A,C	6 or until completion of active audit	1,4
Free and Reduced Lunch Program Records			
Accounts/Audits	A,C	6	1,4
Application for Participation[6]	A,C	10	2,4
Program Requirements	A,C	6	1,4
Food Service Records (free and reduced lunch, data used for filing federal and state reports, audits)	A,C	6	1,4
Grievances/Arbitrations			
Complaint[7]	A, C	Permanent	3
District Response[8]	AC	Permanent	3
Final Ruling/Decision of Arbitrator	A,C	Permanent	3
Litigation Files			
Pleadings, Motions, Briefs, Other Filings	A, ,C	7 after final conclusion of litigation	1,4
Decision/Ruling	AC	7 after final conclusion of litigation	1,4
Settlements	A, C,	7 after settlement	2,4
Medical Records			
Documentation (Employee Leave, Accommodations)[10]	A,C	Permanent	2,4
Medical Records/Information (Employee)[10A]	A,C,D,F	Permanent	2,4
Medical Records (Employee Exposure to Toxic/Harmful Substance)[11]	A,C,D,F	Permanent	2,4
Medical Records/Information (Student)[12]	A,C,D,F	6 after enrollment ends	2,4
Pre-Employment Medical Examination[13]	A,C	Permanent	2,4

Record Description	Record Format	Retention Period (in years)	Disposal Code
Payroll Records[14]			
Deduction Authorizations[15]	A,C	6	2,4
Direct Deposit Forms[16]	A,C	6	2,4
Employee Earnings Statements (Pay Stubs)	A,C	6[16A]	2,4
Retirement Records[28]	A,C	7 after employment ends	2,4
Social Security (FICA) Records	A,C	4	1,4
Time Cards/Sheets[16B]	A,C	6	1,4
Wage and Tax Statements (W-2 Forms)[17]	A,C	6	2,4
403 (b) records	A,C	6	2,4
Unemployment Compensation records	A,C	4	1,4
Withholding Allowance Certificates (W-4 Forms)[17]	A,C	6 after superseded OR employment ends	2,4
Personnel Records[18]			
Acknowledgement of Receipt (Handbooks/Policies)	A,C	Permanent	3
Advertised Job Openings/Postings	A,C	4 after position filled[19]	1,4
Arrest/Conviction Report Forms (PDE-6004)	A,C	Permanent	3
Attendance Records	A,C	6 after employment ends	1,4
Employee Personnel Files	A,C	Permanent	3
Change(s) in Status (Promotion/Demotion/Transfer/Furlough/Recall)	A,C	Permanent	3
Child Abuse Clearance Statement	A,C	Permanent	3
Child Abuse Recognition and Reporting Training	A,C	Permanent	3
Credentials (Certificates/Licenses)	A,C	Permanent	3
Criminal History Records (State and Federal)	A,C	Permanent	3
Discipline Records (Employees)[21]	A,C	Permanent	3
Employment Application/Resume (Hired)	A,C	Permanent	3
Employment Application/Resume and all other Application Materials for Candidates (not hired)[22]	A,C	4 after position filled	2,4
Employment Eligibility Verification (From I-9 and Documentation)	A,C	Permanent	3
Employment History Verifications	A,C	Permanent	3
Equal Employment Opportunity Reports and Demographics[23]	A,C	3	1,4
Evaluations/Classroom Teacher Rating/Data	A, C	Permanent	3
Evaluations/Performance Assessments/Non-Teachers	A,C	Permanent	3
Job Description	A,C	Permanent	3
Leave Records (FMLA)[25]	A,C	Permanent	3
Leave Records (Other)[26]	A,C	Permanent	3

Record Description	Record Format	Retention Period (in years)	Disposal Code
Network/System User Agreement(s)	A,C	Permanent	3
Pre-Employment Reference Checks[27]	A,C	Permanent	3
Resignations	A,C	Permanent	3
Workers' Compensation Records[39]	A,C	Permanent	2,4
Professional Development Training/Continuing Education (Act 48) Records (including District provided courses; teacher credit hours)	A,C	Permanent	3
Property Records			
Architect, Engineer, Construction Manager Agreements	A,C	12 after completion of project	1,4
Building Blueprints[29]	C,E	Permanent	3
Construction Contracts[30]	A,C	12 after completion	1,4
Deeds and Related Records	A, C	Permanent	3
Equipment Inventories	A,C	6; 10 for any equipment purchased with Category 2 E-rate funds[30A]	1,4
Fixed Asset List	A,B,C	Permanent	3
Inventory Transfer/Disposal Records	A,C	3 after transfer/disposition; 10 for any equipment purchased with Category 2 E-rate funds[30A]	1,4
Leases (Real Estate)	A, C	Permanent	3
Leases (Equipment/Vehicles)	A, C	6 after expiration	1,4
Pesticide Application Record[31]	A,C	3 ~~Years~~	1,4
Prevailing Wage Act reports submitted by contractors	A,C	2 Years	1,4
Real Property Purchase or Sale	A,B,C	Permanent	3
Purchasing Records (Goods and Services)			
Advertisements	A,C	6 after completion	1,4
Bid Documents (Accepted)	A,C	6 after completion	1,4
Bid Documents (Declined)	A,C	6 after completion	1,4
Executed Contracts	A,C	6 after completion	2,4
Financial Information of Bidders[32]	A,C	6 after completion	2,4
Specifications	A,C	6 after completion	1,4
Written or Telephonic Price Quotations[33]	A,C	6 after completion	1,4
Safety Records			
Accident Reports	A,C	6[34]	2,4
Accident Reports (involving a minor)	A,C	5 after the minor attains the age of 18	
Emergency Preparedness Plan (Safe Schools) and Supporting Documents[34A]	A,C	2 after revised[34B]	1,4
Material Safety Data Sheets (MSDS)	A,C	30[34C]	1
Memorandum of Understanding with Local Law Enforcement	A,C	2 after revised	1,4
Reports of Suspected Child Abuse	A,C	1 after the year in which the student turns age 50	2,4

Record Description	Record Format	Retention Period (in years)	Disposal Code
Safe School Act Reports – Annual Report[35]	A,C	Permanent	3
Security Tapes and Images (pulled from routine tape rotation)	C,D,F	Until resolution of incident or transfer to student's educational records	2,4
Visitor Log	A,C	5	1,4
School Board Records			
Board Meeting Agendas	A,C	1	1,4
Board Minutes (Approved)[36]	A, C	Permanent	3
Board Policies and Procedures (Current)	A, C	Permanent	3
Board Policies and Procedures (Old)	A, C	Permanent	3
Ethics Statement of Financial Interest[37]	A,C	5	1,4
Notes and/or any other Written Materials used to Prepare Official Minutes	A,C,D	Until official minutes are approved	1,4
Oath of Office (signed by Board Member)[37A]	A	Term of office	1
Official Recordings of Board Meetings	C,D	3	1,4
Transportation Records (Drug/Alcohol Testing)[38]			
Negative or Below Limit Test Results	A,C	1	2,4
Positive or Above Limit Test	A,C	5	2,4
Records Related to Collection Process Results	A,C	2	2,4
Records Related to Education and Training	A,C	2 after employment ends	2,4
Refusal to Take Required Test	A,C	5	2,4
Transportation Records (General)[40]			
Accident and Incident Reports	A,C	3	2,4
Claims for Reimbursement[41]	A,C	6	2,4
Distances from Student Homes to Established Bus Stops	A,C,E,	Current and last revision	2,4
List of Bus Routes/Schedules/Loading Zones/Bus Stops	A, C,E,F	Current and last revision (at least 1 year)	2,4
Record of Students Transported to and from School	A,C	6 from end of school year	2,4
Technology			
On Site Service Request	C	1	4
E-Mail Messages (includes items in deleted folder, inbox or sent folders)	C	3	4
Computer Repair Statement	A,C	4	1,4
Audio Visual repair Tag	A,C	4	1,4
Software Licenses	A,C	Current as long as software is on computer.	1,4
Universal Service Records (E-Rate Program)[42]			
Applications/Discount Verifications/Correspondence	A,C	10 after service year	2,4

Record Description	Record Format	Retention Period (in years)	Disposal Code
Bids/Quotations (accepted/declined); Correspondence; Financial Information of Bidders; Specifications/RFPs; Bid Evaluations	A,C	10 after service year	2,4
Executed Contracts	A,C	10 after service year	2,4
Filtering Documentation	A,C	10 after service year	2,4
Proof of Payment – Submitted and Received	A,C	10 after service year	2,4
Purchase Orders/Installation Records/Invoices	A,C	10 after service year	2,4
Staff Training and Education of Students in Online Behavior	A,C	10 after service year	1,4
Volunteer Records			
Application/Acknowledgement Forms	A,C	Permanent	3
Affidavit for Waiver of Federal Criminal History Check	A,C	Permanent	3
Arrest/Conviction Report Forms	A,C	Permanent	3
Criminal History Records (State)	A,C	Permanent	3
Criminal History Records (Federal – if required)	A,C	Permanent	3
Maintenance			
American with Disabilities Act (ADA)	A,C	Permanent	3
Asbestos	A,C	Permanent	3
Building Specifications	A,C	Permanent	3
Fire Drill Report	A,C	0 after report is filed	1,4
Hazardous Waste Manifest Document	A,	3	1,4
Inventory of Supplies on Hand	A,C	6	1,4
Lead or Copper Content Testing and Remediation Files	A,C	50 when level exceeds, 10 when levels are below action level	1,4
Records of remediation by replacement of lead or copper plumbing	A,C	6 after building no longer exists	1,4
Records of remediation by elimination or replacement of water cooler not connected to plumbing	A,C	6 after cooler eliminated or replaced	1,4
Maintenance Testing, Service, Operational and Repair Records	A,C	6 after vehicle or equipment no longer in use	1,4
Pesticide inventory	A,C	40 after superseded or obsolete	1,4
Property Inventory	A,C	6 after replacement, sale or discontinuance of use	1,4
Records Relating to Certification for Individual Certified Commercial Pesticide Applicator	A,C	6	1,4
Toxic Substance Exposure Records	A,C	Permanent	3
Faculty Safety Inspection Reports	A,C	5	1,4

Record Description	Record Format	Retention Period (in years)	Disposal Code
Right-to-Know – Material Safety Data Sheet File	A,C	30	1,4
Facility Use Reports	A,C	5	1,4
Curriculum			
Teacher Lesson Plan	A,C	0 after no longer needed	1,4
Teacher's Grade Records, Test Scores, and Marketing Sheets	A,C	2	1,4
Examination and Test Answer Papers	A,C	1	1,4
Community Service Records	A,C	Maintain with student file	1,4
Special Education Programs	A,C	Permanent	3
Records of Auxiliary Organizations or Activities	A,C	0 after no longer needed	1,4
School Related Photographs	A,C	6 if not historical value; if historical value, Permanent	3
Health Services			
Employee Records	A,C	40	1,4
Child Abuse or maltreatment reports and related records		10 after youngest child mentioned in report attains age of 18	1,4
Inventory, storage, receipt and distribution records for vaccines and controlled substances administered to students and/or employees	A,C	5	1,4
Student health summary reports, covering all or groups of students, including school immunization survey summary	A,C	3	1,4
Student Files			
Student's Attendance Record (Register), including but not limited to each student's name, date of birth, names of parents or guardian, address, and daily attendance.	A,C	100	3
Attendance Reports and other summary attendance records, membership, submitted to the State for aid and reimbursement purposes	A,C	6	1,4
Cumulative Education Record File (including "Permanent Record Card"), cumulative achievement record equivalent (sometimes known as "Permanent Record Card") for elementary and secondary school including but not limited to information on school entry, withdrawal and graduation, special education status, subjects taken, grades received from examinations, and standardized test results	A,C	Permanent	3
Other student records, including but not limited to registration record, screening evaluation reports, program admission application, remedial program participation record, counselor notes, teacher comments, correspondence, and transfer or discharge notice	A,C	6 after student would normally have graduated high school	1,4

[32]

Record Description	Record Format	Retention Period (in years)	Disposal Code
Examination test results, papers and answer sheets	A,C	1	1,4
Cumulative achievement record, including information on credits, grades, attendance, instructors' comments and employability profile		Permanent	3
Cumulative Education Record File			
Scholarships**,** including but not limited to, scholarship application and supplement, list of candidates for examination, list of competition winners and alternates, and reports	A,C	7 after scholarship awarded	1,4
Student Information System (SIS) – Basic data on any student contained in or produced by an automated student information system, including name, age, sex, personal identification (social security number or other number used to identify student), address, grade and/or class	A,C	0 after no longer needed	1,4
School Census Records – All school census records created prior to 1949 (some early 19th century census records only list names of parents) including so-called "attendance registers" used between 1895 and 1928, in booklet form provided by the State Office of Public Instruction, later the State Education Department (these booklets also contain the school census, trustees' annual reports, registers of visitors, and other information); and school census and enrollment reports, created between 1929 and circa 1949, in booklets provided by the State Education Departments, or their equivalents	A,C	Permanent	3
Pupil Personnel Cumulative Records (Guidance Folder)**,** containing information on all aspects of student's school career	A,C	6 after student would normally have graduated high school	1,4
Environmental Records			
Underground Storage Tanks (all records)	A,C	Permanent	3
Chemical Test Control Treatment/Application records	A,C	3	1,4
All other records maintained pursuant to any federal or state environmental laws	A,C	6	1,4
Student Certifications			
Cosmetology	A	7	2
Certified Nurse Aide	A,C	Permanent	2,4

[1] 65 P.S. Sec. 67.502(b)(2)(iii) requires that an electronic or paper copy of the written request and all documents submitted with the request be maintained either 1) until the request has been fulfilled; 2) if the request is denied, for thirty (30) days; or 3) if an appeal is filed, until a final determination is made or the appeal is deemed denied. Since appeals may be made to court after a final determination, requests and related documents should be kept until all appeals have been exhausted. Keeping requests for 1 year from the date of the request was received, or until all appeals have been exhausted, would satisfy most time periods in the Act and preserve evidence of repeated requests for the same records (burdensome). *See also* 65 P.S. Sec. 67.506(a).

[32]

[1A] 29 CFR Sec. 1627.3(b)(2) requires employers to keep "benefit plans" for the term of the plan plus at least 1 year after termination.

[1B] 43 P.S. Sec. 58.1(d) requires school districts to keep the required employment report/information for 2 years.

[2] *See* 65 P.S. Sec. 67.708(7)(vii)(viii), 67.708(16), 67.708(17).

[2A] 29 CFR Sec. 1602.14 and 1627.3(b)(3) require retention of relevant records until final disposition.

[3] *See* 65 P.S. Sec. 67.708(7)(viii), 67.708(17).

[4]SC 518 requires permanent retention of annual auditor's reports and annual financial reports. SC 518 also requires districts to maintain all other financial records for at least 6 years.

[4A] SC 1337(e) requires food service records to be maintained not in excess of 5 years; however, compliance with PA Dept. of Education, Division of Federal Programs monitoring under the Uniform Grant Guidance requires records to be maintained for 6 years, so retention period was updated to reflect federal monitoring requirements.

[5] 7 CFR Sec. 210.9 requires free and reduced lunch accounts and records to be maintained for a minimum of 3 years. If a federal audit is being conducted, records must be kept until the audit is completed.

[6] 47 CFR Sec. 54.516 requires a school district who uses free/reduced-price meal applications as the basis for their federal Universal Service funding under the E-Rate program to retain these applications for 10 years.

[7] *See* 65 P.S. Sec. 67.708(7)(vii), 67.708(8).

[8] *See* 65 P.S. Sec. 67.708(7)(vii), 67.708(8).

[9] *See* 65 P.S. Sec. 67.708(5), 67.708(6), 67.708(27).

[9A] Retention period not specified in COBRA but recommended that records be retained in accordance with ERISA, See 29 U.S.C. Sec. 1027.

[10] *See* HIPAA and ADA. *See also* 65 P.S. Sec. 67.102, 67.305, 67.708(5).

[10A] 29 CFR Sec. 1627.3(b)(1)(v) requires the results of any physical examination to be kept for at least 1 year from the date of the personnel action to which the records relate when the exam results are considered in connection with any personnel action. If an enforcement action is under way, the required records shall be maintained until final disposition. 29 CFR Sec. 1910.1020(d)(1)(i) requires the retention of "employee medical records" for at least the duration of employment plus 30 years.

[11] *See* HIPAA. *See also* 29 CFR Sec. 1910.1020(e), 65 P.S. Sec. 67.102, 67.305, 67.708(5). 29 CFR Sec. 1910.1020(d) requires retention for at least 30 years after employment ends.

[12] *See* SC 1409, 28 PA Code Sec. 23.55. *See also* HIPAA, 65 P.S. Sec. 67.102, 67.305, 67.708(5). SC 1409 requires that all student health records be confidential and not destroyed for at least 2 years after the student is no longer enrolled. The school may surrender the health records to the parent/guardian if the student will not be enrolling in another school in Pennsylvania. 28 PA Code Sec. 23.55 requires the student's health records be maintained in the school building that the student attends.

[13] *See* 65 P.S. Sec. 67.102, 67.305, 67.708(5). *See also* HIPAA and ADA. 42 U.S.C. Sec. 12112(d)(3)(B), 29 CFR Sec. 1630.14(c)(1) requires that this information be collected on separate forms, kept in separate files and be treated as confidential medical records.

[14] SC 518 requires all other financial records to be maintained for at least 6 years. 29 CFR Sec. 516.5, 516.6 and 1627.3(a) require certain payroll records to be maintained for 2 or 3 yrs.

[15] *See* 65 P.S. Sec. 67.708(6).

[16] *See* 65 P.S. Sec. 67.708(6).

[16A] 29 CFR Sec. 516.6(c)(1) requires retention of records of additions to or deductions from wages paid for at least 2 years.

[16B] 29 CFR Sec. 516.6(a)(1) requires retention of time cards/sheets for at least 2 years when used to determine pay period earnings or wages.

[17] 26 CFR 31.6001.1(e)(2)requires the retention of tax records for at least 4 years after the due date of the tax for the return period that the records relate to, or the date the tax is paid, whichever is later.

[18]29 CFR Sec. 1602.14 requires employers to keep any personnel or employment records for at least 1 year from the date of making the record or the personnel action involved, whichever is later. If a claim is filed or action is under way, the relevant records shall be maintained until final disposition.

[19]29 CFR Sec. 1627.3(b)(1)(vi) lists records to be kept for 1 year. If an enforcement action is under way, the required records shall be maintained until final disposition.

[20] *See* 65 Pa. C.S.A. Sec. 67.708(6), 67.708(7), 67.708(15).

[21] *See* 65 P.S. Sec. 67.708(7)(viii).

[22] *See* 65 P.S. Sec. 67.708(7)(iv). 29 CFR Sec. 1627.3 (b)(1)(i) lists records to be kept for 1 year. If an enforcement action is under way, the required records shall be maintained until final disposition. Statute of limitations under 42 U.S.C. 1981 is 4 years.

[23] 29 CFR Sec. 1602.39, 1602.41 requires form EEO-5 and records necessary to complete EEO-5 to be maintained for 3 years.

[24] *See* 65 P.S. Sec. 67.708(7)(ii).

[25] 29 CFR Sec. 825.500(g) requires medical records and documents created for FMLA purposes be maintained as confidential medical records in separate files from the usual personnel files. *See also* 65 P.S. Sec. 67.102, 67.305, 67.708(5). 29 CFR Sec. 825.500(b) requires retention for at least 3 years.

[26] *See* 65 P.S. Sec. 67.708(5), 67.708(6).

[27] *See* 65 P.S. Sec. 67.708(7)(i). 43 P.S. Sec. 1321 defines "personnel file" to exclude "letters of reference."

[28] *See* 65 P.S. Sec. 67.708(6).

[29]

[32] *See* 65 P.S. Sec. 67.708(3).

[30] 42 Pa. C.S.A. Sec. 5536 requires claims to be filed within 12 years from completion.

[30A] 47 CFR Sec. 54.516 requires school districts who receive federal Universal Service funding through the E-Rate program to retain asset and inventory records of equipment purchased as part of Category 2 services for 10 years after purchase.

[31] SC 772.2 requires retention for at least 3 years.

[32] *See* 65 Pa. C.S.A. Sec. 67.708(22).

[33] SC 751, 807.1 require retention of written price quotations and written records of telephonic price quotations for 3 years. For federal purchasing under Uniform Grant Guidance, PA Dept. of Education, Division of Federal Programs monitoring requires 6 years.

[34] 29 CFR Sec. 1904.33(a) requires the retention of the OSHA incident report forms for 5 years following the end of the calendar year that the records cover.

[34A] Supporting documents would be the materials listed in 22 Pa Code 10.24(g)(1-11).

[34B] 35 Pa. C.S.A. Sec. 7701(g) requires plan to be reviewed annually and updated as necessary.

[34C] 29 CFR Sec. 1910.1020(c)(5) defines "employee exposure records" to include material safety data sheets (MSDS) indicating that the material may pose a hazard to human health. See 29 CFR Sec. 1910.1020(d)(1)(ii) for exceptions and alternate records.

[35] Refers to the annual report required by SC 1303-A(b). Historical data is maintained by the state. SC 1307-A also requires school entities to maintain records of all applicable incidents but does not list retention period(s).

[36] SC 518 requires permanent retention.

[37] 65 Pa. C.S.A. Sec. 1107(9) requires retention for 5 years.

[38] *See* 49 CFR 382.405 (limits on release of records). *See also* 65 P.S. Sec. 67.102, 67.305, 67.708(5). 49 CFR 382.401 lists applicable retention periods.

[39] *See* 65 P.S. Sec. 67.708(5), 67.708(6).

[40] 22 Pa. Code Sec. 23.4 lists records required to be kept by local Boards.

[41] 22 Pa. Code Sec. 23.32.

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