LENAPE TECHNICAL SCHOOL

SECTION: OPERATIONS

TITLE: RECORDS MANAGEMENT

ADOPTED: April 20, 2017

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800. RECORDS MANAGEMENT

1. Purpose

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

2. Authority

The Joint Operating Committee shall retain, as a permanent record of the school, Joint Operating Committee 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 school for a period of not less than six (6) years. [1][2]

All other school records shall be retained in accordance with state and federal laws and regulations and the Records Management Plan approved by the Joint Operating Committee.

The school 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. [3][4]

3. Definitions

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.

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 school and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the school. 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. [5]

	Records Management Plan - the system implemented by the school for the storage, retention, retrieval, and disposition of all records generated by school operations. **Records Retention Schedule** - a comprehensive listing stating retention periods and proper disposition of records.
3. Delegation of Responsibility	Any individual responsible for the collection, maintenance and/or security of records on behalf of the school shall comply with state and federal laws and regulations, Joint Operating Committee policies, school procedures with the Records Management Plan. <u>Records Coordinator</u> In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Joint Operating Committee policy, the Joint Operating Committee designates the Administrative Director as the school's Records Coordinator who shall serve as the chairperson of the Records Management Committee. 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. Operation, care and handling of the equipment and software. b. Requirements of the Records Retention Schedule. c. Protocols for preserving and categorizing school records. d. Procedures and responsibilities of staff in the event of a litigation hold. e. Identification of what is and what is not a record. f. Disposal of records. 2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary. 3. Identify, when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of annually.

	Records Management Committee A committee responsible for the development and recommendation of the school's Records Management Plan shall be established by the Joint Operating Committee. 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 [6] 2. Administrative Director 3. Joint Operating Committee Secretary [7] 4. Solicitor 5. Director of Information Technology 6. Business Manager **The Records Management Committee shall meet annually to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.**
4. Guidelines	Records Management Plan The school's Records Management Plan shall be the principal means for the storage, retention, retrieval, and disposition of manual and electronic records, including emails. 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 of the school. 2. Criteria to distinguish records of the school from the supplemental personal records of individual employees. [8][9] 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 and reduce the risk of a data breach. Such measures shall include encryption or other appropriate security procedures. [10][11][12] 5. Data map or flow chart detailing the sources, routes, and destinations of electronic records. 6. Procedures and employee[s] designated for determining whether an item is a record.

7. Procedures for adding, revising or deleting records and data, and any other details necessary to implement the Records Management Plan.

8. Records Retention Schedule.

9. Provisions for the storage and retrieval of records in the event of an emergency or disaster. [12]

10. Staff positions authorized to access the school's records.

11. 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 school'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 school shall store, 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 school requires that all manual record systems be assessed annually and all vital information be entered into an electronic records system for long-term storage and backup recovery.

The school 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.

The school 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 records formats and database tables.
5. Identify vital records and information.
6. Determine restrictions on access and use.
7. Describe update cycles or conditions.

Email Records

Email messages, in and of themselves, do not constitute records. Retention and disposition of email messages depend on the function and content of the individual message.

Records on an email system, including messages and attachments, shall be retained and disposed of in accordance with the school'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.

Email records may be maintained as an electronic record or be printed and maintained as a manual record.

For each email 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

Service Providers

The Joint Operating Committee requires service providers contracted by the school to create, maintain, retain and dispose of school records in accordance with the Records Management Plan. [13]

NOTES:

If school has three (3) employee sections, remember to change the policy cites in the policy and references.

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Legal References

1. 24 P.S. 518
2. 24 P.S. 1850.1
3. 65 P.S. 67.901
4. Pol. 828
5. 65 P.S. 67.102
6. Pol. 801
7. 24 P.S. 433
8. 65 P.S. 67.708
9. 20 U.S.C. 1232g

	10. 73 P.S. 2301 et seq 11. Pol. 830 12. Pol. 830.1 13. 65 P.S. 67.506 65 P.S. 67.101 et seq Federal Rules of Civil Procedure 16, 26, 34, 37, 45 Pol. 004 Pol. 006 Pol. 105.2 Pol. 113.3 Pol. 114 Pol. 138 Pol. 203 Pol. 203.1 Pol. 209 Pol. 212 Pol. 216 Pol. 216.1 Pol. 233 Pol. 314 Pol. 324 Pol. 326 Pol. 334 Pol. 601 Pol. 609 Pol. 610 Pol. 618 Pol. 619 Pol. 702 Pol. 706 Pol. 716 Pol. 800.1 Pol. 810 Pol. 810.1 Pol. 912 © PSBA 2023