

# May 24, 2023 Educational Institutions (ED) Retention Schedule Online Training Q&A

May 24, 2023 Educational Institutions (ED) Retention Schedule Online Training Q&A.....	1
Destruction Questions .....	1
Records Classification Questions .....	2
State Form 44905: Notice of Destruction (NOD) .....	3
Retention Questions .....	4
Miscellaneous Questions .....	5

## Destruction Questions

- 1. Do all records need to be permanently kept in some other form and we only need to permanently destroy paper records?**
  - a. Any non-permanent record, regardless of its format, can be destroyed once it meets its required retention period. That applies to both electronic and paper records. To destroy those records, fill out the SF44905 form.
- 2. For accounting records - if it has been 6 years but the records have not been audited, can they still be destroyed?**
  - a. Use record series # GEN 10-10. No, they cannot be destroyed until the State Board of Accounts audit has happened. However, the audit described is an audit for your school (or system); you don't have to prove that SBOA looked at those *specific* records. To verify if your school has been audited, see these [instructions](#).
- 3. Can we destroy in-house once we have submitted our NOD paperwork (State Form 44905: Notice of Destruction)?**
  - a. Yes, if you have a shredder on-site, you can destroy on-site. If you do a once-a-year shredding event with a vendor, you could also do it then. The NOD form no longer needs to be submitted to IARA, but if you'd like IARA to review the forms for errors before destruction, email it to [cty@iara.in.gov](mailto:cty@iara.in.gov). For more information on the 2022 NOD form changes, see this [video recording](#).
- 4. For Special Education Records older than 5 years, is it safe to automatically destroy the records?**
  - a. These records should be retained under record series # ED 16-065 and can be destroyed five years after the individual ceases being a student in your school system, or at any time after the individual is no longer a student if a parent or former student over the age of 18 has requested destruction.

- 5. If records were recently destroyed under old rules (meaning the older outdated version of the retention schedule), (EDA-16-065) due to the student reaching age 21, as we were not yet aware of the age 21 stipulation being removed, what happens then?**
- If the records were properly destroyed using a SF44905/Notice of Destruction form under the guidance of previous ED retention schedule prior to the current ED schedule's approval, then nothing happens. The records were properly destroyed under the guidance of an O CPR approved retention schedule. Moving forward, follow the current most updated version of the ED retention schedule and discard any outdated schedules.
- 6. Is there no specific date to destroy other than what the schedule states? Can we destroy at any time of the year?**
- You may destroy records that have reached their required retention period at your convenience. You can destroy records that are eligible for destruction on a rolling basis or schedule a destruction day once a year. What matters is that the records be retained for at *least* the required amount of time listed in the retention period, and that a SF44905/Notice of Destruction form is completed *before* they are destroyed.
- 7. I'm looking for the administration records related to daily absence records and school report card, annual performance report, annual financial report, and gateway financial report, what are the record series for these now and can I destroy the records?**
- If ADMIN – absence records, daily: Was EDA 16-001, now use GEN 23-05: General Personnel Records from the County/Local General Retention Schedule. You can destroy after 3 years, and after any information pertinent to the work history of listed employees has been duplicated in their Personnel File (GEN 10-27).
  - If ADMIN school report card, annual performance report, annual financial report, and gateway financial report: Was EDA 16-012, now use GEN 20-04: Local Government Annual Reports from the County/Local General Retention Schedule. You cannot destroy, these are PERMANENT records.
- 8. Can you please clarify exactly what “Destroy Upon the Sooner of Five (5) Years” means...?**
- When you see the phrase “the sooner of” it will be followed by two or more retention options. Assess your records and then retain them in accordance with whichever retention period ends first.

## Records Classification Questions

- 1. Can we clarify what type of items would fall under School Emergency Incidents?**
- School Emergency Incidents fall under record series ED 23-002 and include records created during emergency situations, reports on how current safety plans were used during the situation, and a copy of the current safety plan.
- 2. Are Bids permanent?**

- a. Bids are not a permanent record and fall under record series GEN 10-25 on the County/Local General Retention Schedule.
- 3. Do doctor's excuse notes fall under ED 16-066: Individual Student Medical File?**
    - a. Doctor's excuse notes may be filed under ED-16-066: Individual Student Medical File or under ED 16-065: Individual Student Cumulative File. They both have the same retention requirements, so either record series can be used.
  - 4. Wouldn't speech/language pathologist's files be considered part of the special education file?**
    - a. Medical services are being provided, but also educational services, so these types of records could go in the student medical file (ED 16-066) or the student cumulative file (ED 16-065). They both have the same retention requirements, so either record series can be used.
  - 5. What record series would athletic ticket stubs fall under?**
    - a. Athletic ticket stubs are a revenue record and fall under GEN 10-10 on the County/Local General Retention Schedule.
  - 6. For the record series for the food service, it was EDS-16-021, EDS-16-022, and EDS-16-023 those are now ED-16-065?**
    - a. Like you said, food records fell under multiple record series under EDA section on the old retention schedule. Look at Appendix 1 of the updated ED retention schedule to determine which record series maps to which newly updated record series.

#### State Form 44905: Notice of Destruction (NOD)

- 1. Is the NOD (State Form 44905: Notice of Destruction) meant to be signed by the person who supervises the destruction?**
  - a. Yes. Whoever witnesses the destruction should sign the NOD form.
- 2. If there is no need to wait 30 days for approval, why the buffer? Wouldn't we send you the completed form after it's all done anyway?**
  - a. The buffer of going to the first day of the next month just saves you from someone getting picky about destroying records on the exact anniversary of the day they were closed.
- 3. Can you help me understand the first date of the Date Range of Records on the Notice of Destruction form? How do we determine that date?**
  - a. This is the closing date of the oldest file in the set of files you're destroying, and the range is "oldest file" to "newest file."

4. **How do you complete the Destruction Information section of Form 44905 if we are sending out the records to be destroyed.**
  - a. Information regarding the *means* of destruction is not included on Form 44905, so there is no difference for in-house or outsourced records destruction as it pertains to completing Form 44905. The official who sends the records off for destruction can sign that the records have been destroyed or request a certificate of destruction from the outsourced destruction vendor.

## Retention Questions

1. **How long do we keep the Quarter 941's? Are they a permanent record?**
  - a. These are a federal tax form and fall under GEN 15-02 on the County/Local General Retention Schedule.
2. **How long do we keep W-4 tax forms, IN tax forms, and Section 125 enrollment forms? Do we just need the current one, or do we keep all forms until 10 years after termination?**
  - a. Any tax forms specific to an individual employee fall under GEN 10-27 on the County/Local General Retention Schedule.
3. **Do I need to keep every tax or insurance enrollment form a teacher has ever filled out?**
  - a. Yes, because those support the history of how wages were paid to the employee over their employment period. However, we hope this is made easier in practice through the revisions to GEN 10-27, under which these records fall.
4. **I am the accountant for food service, and I pay all our vouchers and PO and then give the originals to accounts payable while keeping copies in our office. Do I still have to follow the guidelines for retention, or can I consider mine to be copies of originals maintained by accounts payable and therefore destroy my copies when I no longer need them?**
  - a. Because accounts payable keeps the originals and is the authoritative source for anyone with questions about these records, yours sounds like a copy of the original record and you can dispose of it when you need to. If you aren't sure, reach out to IARA for help to determine if you have an original (Copy of Record) or duplicate.
5. **Regarding the permanent academic transcript (ED 16-028), student medical file (ED 16-066), and student cumulative files (ED 16-065) - if a record is not a permanent academic transcript item, is the correct procedure to check if it is medical first, and if it is not to consider it as part of the student cumulative file.**
  - a. Retention for ED 16-065 and ED 16-066 is the same. In cases like that, you can file your records in whatever way makes the most sense for your business use.
6. **When a person is provided with the option to resign versus be terminated, could the school corporation designate the employee as ineligible to rehire?**
  - a. Designating an employee as ineligible to rehire is a personnel decision IARA cannot provide criteria for, but if the school corporation makes this determination, then yes, the former employee could be marked as ineligible.

- 7. What is the difference between a Cumulative file and Permanent record cards according to the schedule?**
- The cumulative file (ED 16-065) is the non-permanent file that follows a student through school, but is destroyed 5 years after they leave, or sooner upon request. The permanent record cards would be part of the Permanent Academic Transcript (ED 16-028) that is retained forever.
- 8. State Board of Accounts doesn't audit extra-curricular accounts any more or not very often, do schools have to keep receipts and disbursement items for a very long time if not audited?**
- Use GEN 10-11: Basic Accounting Records – Expenditures from the County/Local General Retention Schedule. See Question 2 under Destruction Questions section of this document.
- 9. How long are we required to keep Worker's Compensation records?**
- Use GEN 10-28: Employee Medical Records and/or GEN 10-33: Work-Related Injuries and Illnesses from the County/Local General Retention Schedule.
- 10. We had a student withdraw in elementary school. What do we do with their record?**
- Use ED 16-065 and retain for required retention period, then destroy using SF44905 form.
- 11. How do we retain Special Education files?**
- Use ED 16-065 or ED 16-066 and retain for required retention period in whatever format or media you like.
- 12. What about federal grants?**
- Use GEN 10-25: Bonds, Bids, Contracts and Leases from the County/Local General Retention Schedule.
- 13. I'm looking for the administration records related to daily absence records and school report card, annual performance report, annual financial report and gateway financial report, what are the record series for these now and can I destroy the records?**
- If ADMIN – absence records, daily: Was EDA 16-001, now use GEN 23-05: General Personnel Records from the County/Local General Retention Schedule.
  - If ADMIN school report card, annual performance report, annual financial report and gateway financial report: Was EDA 16-012, now use GEN 20-04: Local Government Annual Reports from the County/Local General Retention Schedule.
- 14. How should a school language pathologist keep records?**
- Use ED 16-065 or 16-066.
- 15. How should I retain teacher contracts?**
- Use GEN 10-27: Personnel Files from the County/Local General Retention Schedule.

## Miscellaneous Questions

- 1. Do we microfilm through the state, or can we use a location of our choice?**

- a. As long as any microfilm meets the standards set in 60 IAC 2 , and any digital records meet the standards set in IARA's Electronic Records Guidelines, the choice of vendor for converting your records to another format is up to your office. While IARA does not recommend specific vendors, we do offer a guidance document on Vendor Qualifications for Converting Public Records to help you ask the right questions when you're choosing one.
- 2. The appendix is a bit confusing. In future revisions could you include the title with the record series number to save excessive cross referencing?**
  - a. That is a great suggestion, and IARA will take it under advisement.
- 3. How can I check to see if my files have been audited? Is there a website that shows what schools have received an audit from the State Board of Accounts?**
  - a. See bulletin: <https://content.govdelivery.com/accounts/INARA/bulletins/2c3081c>
- 4. For ED 16-023, I was curious as to what all information on withdrawn students is required, and at what grade levels if that changes.**
  - a. ED 16-023: To be honest, we aren't sure. This is a record series that no one on the taskforce or at DOE could give us any information on if I'm remembering correctly. If you aren't sure if you have permanent cards, I'd suggest using ED 16-065. On ED 16-023, what it says is literally all we know about permanent record cards. If you're not sure if you have such a card, you probably don't (it's an old-school practice; nowadays the information is likely maintained electronically), and if you do have it, we have to assume that what's required is indicated on the card.
- 5. For ED 16-028, I need to know what levels of attendance are required for the record to be considered complete. Is it high school attendance only, or does it include elementary and middle school attendance records? Does it require specific information or only the raw data.**
  - a. IC 20-33-2-13 doesn't specifically state the range of attendance records required in the transcript file. However, since the list of required contents is prefaced by "in the official high school transcript for a student in high school," IARA's reading of the intent is that the law is concerned only with records created in high school.

The law also doesn't specify the format of the information. The only details provided are "(1) Attendance records. (2) The student's latest statewide assessment program test results. (3) Any secondary level and postsecondary level certificates of achievement earned by the student. (4) Any dual credit courses taken that are included in the core transfer library under IC 21-42-5-4."

Beyond what's there in the code, defining what would be considered a 'complete' file is outside of IARA's scope; IARA would suggest conferring with the State Department of Education on this question.

- 6. We have binders with special education teacher names from each district and it lists each SPED student they will have that year. That is all the info in the binders. Just lists and lists of**

**teachers with their students listed. That is how they use to get the student count for all SPED students.**

- a. Use GEN 10-04 unless it's grant-related, then use GEN 10-25.
- 7. We have had a question about expulsions and IEPs. Should they both go under ED 16-065 or are they a permanent record?**
- a. Use ED 16-065, they are not a permanent record.
- 8. We have multiple questions about specific forms and what record series to use. See list below:**
- a. **Report 100 - Employees address, job title, and compensation:** GEN 20-02 PERMANENT
  - b. **DPI-EIR-6 - Enrollment and Withdraws:** GEN 10-04
  - c. **Form 30 - Attendance Report:** ED 23-001
  - d. **EIR-1 - Fall Enrollment:** GEN 10-04
  - e. **EIR-4 - Annual Spring School Report:** GEN 10-04
  - f. **9-B Report - Annual Financial Report:** GEN 10-11 or GEN 20-04 depending on the importance of the report.
  - g. **EI-R-11 & 12 - School Board Members & Compensation:** GEN 10-11
  - h. **Master Contracts:** GEN 10-25
  - i. **Form 9 - Fiscal Financial Reports:** GEN 10-11
  - j. **Milk, Bread & Fuel - Bid & Specs:** GEN 10-25
  - k. **Enrollment & Dropout:** GEN 10-04
  - l. **Bus Driver Contracts:** GEN 10-27 – if they're individual contracts with each employee, yes. If it's one contract signed with a union or other group, use GEN 10-25.
  - m. **Bus Purchases:** GEN 10-11
  - n. **Financial Newspaper Publications:** GEN 20-03 - If it's a publication of the school/system, yes. If it's literally financial newspapers that they bought and used for research or light entertainment, not a record.
  - o. **EEO-5 - Elementary Staff Information:** GEN 10-04 unless they feel it's valuable for their own permanent history, in which case save it as GEN 20-03 or GEN 20-04.