No. 3910
SECTION: BUSINESS
TITLE: RECORD RETENTION POLICY

ADOPTED: 1/17/13
READOPTED: 6/20/13;1/29/14;11/15/16
3/17/20;3/18/25
REVISED: 5/20/14

OXFORD AREA SCHOOL DISTRICT

This policy is adopted to establish a systematic records retention system for School District records. The Board recognizes that the orderly and managed retention and destruction of School District records promotes efficiency, conserves financial and physical resources, and promotes the orderly day-to-day execution of School District business.

The Board directs the Superintendent to develop procedures to implement this policy including creating a Records Retention Schedule for School District records. The Superintendent shall designate a Records Retention Officer as the central point of contact for the District to coordinate the retention and disposition of records. Although day-to-day supervision of records retention and disposition may be delegated to the Record Retention Officer, the Superintendent maintains the responsibility and authority to enforce this policy.

Record

Any form of data or information created, received and/or maintained as evidence or information by the District, or a person acting on behalf of the District, in connection with the transaction of official School District business. Records include electronic data, but specifically excludes text messages, voice messages, transmittal data (such as fax cover sheets), drafts, and Post-It ™ notes, which are temporary in nature and not managed by the District.

Records Retention

School District records shall be retained in such a manner to:

- Meet legal standards for protection, storage and retrieval;
- Protect privacy as required by law;
- Optimize the use of storage space;
- Minimize the cost of data retention; and
- Destroy records when no longer needed in an appropriate manner.

Records Procedures Must be Followed

All School District employees must follow this policy, Policy 5350 Student Records, and any administrative procedures developed to implement those policies. Failure to adhere to this policy or the administrative procedures developed to implement this policy may be cause for disciplinary action, up to and including dismissal. Copies of this policy and Policy 5350 shall be available on the District's website.

Exemptions

Requests for exceptions to this policy or its administrative procedures must be submitted in writing to the Records Retention Officer. Upon review of the request, the Record Retention Officer *may* grant an exception so long as the exception does not substantially impede the overall purpose of this policy or its administrative procedures.

Training

All Employees shall be provided with a copy of this policy, Policy 5350 Student Records, and any administrative procedures developed to implement those policies.

Copies of this policy and Policy 5350 shall also be made available on the District's website. Periodic training shall be provided to employees to implement these policies and procedures.

Interpretation

The Record Retention Officer designated by the Superintendent shall be responsible for interpreting any portions of this policy or any administrative procedures developed to implement this policy.

Litigation Hold

No employee shall destroy any record if the School District has been made aware that the record may be needed for pending or anticipated litigation. Any District Administrator, upon being notified of pending or anticipated litigation and the need to preserve certain records, shall immediately notify the Superintendent and the Record Retention Officer in writing to ensure the preservation of the proper records and suspension of any record disposal activities for the records in question. The Record Retention Officer shall coordinate with the District Solicitor or Special Counsel to ensure that all required records are preserved for the duration of any litigation. Records retained pursuant to a litigation hold shall be retained until the final disposition of all litigation proceedings and until the written instruction by the attorney for the District that the records may be destroyed.

Disaster Preparation/Documents of Exceptional Value

The Superintendent or his/her designee is directed to identify and to take special precautions to preserve records critical to the operations of the School District and records with significant historical values. Those records include:

- Legal, financial and tax records;
- Records regarding School District obligations to employees, contractors and vendors;
- Records documenting ownership of property and other assets;
- Documents and plans regarding critical infrastructure; and

Archival records of historical value including school board minutes, audit reports, trademarks, copyrights, deeds, financial records, photographs, and school district publications.

Records Retention Schedule Worksheet

This schedule should guide employees as they retain and destroy the School District's records, whether in hard copy or in electronic form. The period of retention begins to run at the end of the calendar year in which the records came into existence, unless otherwise specified.

Records Relating to Employees

The Director of Human Resources is responsible for the employee records and the Business Administrator is responsible for the fiscal records.

	Records/Documents	Retention Periods
1	Hiring	7 years from termination
2	Assignment	7 years from termination
3	Promotion	7 years from termination
4	Demotion	7 years from termination
5	Transfer	7 years from termination
6	Layoff	7 years from termination
7	Termination	7 years from termination
8	Rates of Pay	7 years from termination
9	Terms of Compensation	7 years from termination
10	Selection for Training	7 years from termination
11	Request for Reasonable Accommodation, and the Reasonable Accommodation	7 years from termination
12	Results of Physical Examinations	7 years from termination
13	Job Advertisements and Postings	2 years from the date of making the record or personnel action, whichever occurs later
14	Applications	2 years from the date of making the record or personnel action, whichever occurs later
15	Resumes	2 years from the date of making the record or personnel action, whichever occurs later
16	Applications, resumes, job contacts and identification through the Internet or other related electronic data technologies	2 years from the date of making the record or personnel action, whichever occurs later
17	Involuntary Termination	7 years from termination
18	Discrimination Complaint	7 years from termination
19	Discrimination Compliance	7 years from termination
20	Discrimination Enforcement	7 years from termination
21	Affirmative Action Program and Documentation	Not needed
22	Recall	7 years from termination

23	Job Orders Submitted to Employment Agencies or Unions for Recruitment	1 year
24	Tests, Test Papers, Test Results	7 years from termination
25	Employee Benefit Programs (ex. insurance, pension, seniority systems, merit systems, rating systems)	7 years from termination
26	COBRA Notice to Employee, Spouse and Dependent	7 years from termination
27	Secretary of Labor Findings under the Davis- Bacon Act	n/a
28	EEO-5	Electronically filed, no need to keep a copy
29	FLSA Records in the Ordinary Course of Business	7 years from termination
30	Job Evaluations	7 years from termination
31	Job Descriptions	7 years from termination
32	Merit and Seniority Systems	7 years from termination
33	Collective Bargaining Unit Agreements	Permanent
34	Description of Practices Described	3 years
35	Basis for Payment of Wages	3 years
36	FLSA Supplemental Records	3 years
37	Employment Records	7 years from termination
38	Wage Rate Tables	6 years
39	Work Time Schedules	6 years
40	Order, Shipping, & Billing Records	7 years
41	FMLA Leave Records	7 years from termination
42	INS 1-9	7 years from termination
43	EEOC Charge of Discrimination	7 years from termination
44	Records of Significant Adverse Reactions to Toxic Substances (Toxic Substance Control Act)	a. 30 years from date of significant adverse reaction first report b. 5 years from the date the information contained in the record was first reported to or known by the person maintaining the record and for other records of adverse reactions c.30 years from employee health allegations from any occupational exposure

45	Minor's Employment Record	7 years from termination
46	Walsh-Healy Act Employment Records, Earning Records, Wage Tables and Work Tables	7 years from termination
47	Prevailing Wage Records	7 years from termination
48	PA Human Relations Act Records	7 years from termination
49	Employment Records Relating to PHRC Complaints	7 years from termination
50	PA Tax Reform Code Report	6 years
51	PA Unemployment Compensation Records	6 years after contributions were paid
52	Consent from Employee to deduct Money from Wages	3 years from date of termination
53	Accident and Illness Prevention Program	3 most current and complete fiscal years
54	Employee Exposure to Chemical Substances (PA Workers Right-to-Know Law)	Plus 3 years
55	Annual Training Program (PA Workers Right-to-Know Law)	6 years

Records Relating to Students

The Director of Pupil Services is responsible for these records.

	Records/Documents	Retention Periods
1	Student Educational Records - Category "A" [1, 2]	100 years subject to security regulations
2	Student Educational Records - Category "B" [3]	2 years beyond the end of the school year that the child becomes 21 years of age. If the child is receiving a special education program, then see #5 below
3	Student Educational Records - Category "C" [4]	2 years beyond the end of the school year that the child becomes 21 years of age. If the child is receiving a special education program, then see #5 below.
4	Disciplinary Records	Until graduation for all disciplinary records pertaining to a student's expulsion, weapons violations, drug violations, and acts of violence, as defined by the Pennsylvania Public School Code of 1949, as amended. Until a student transitions to the next education level (i.e. elementary to middle school, etc.) for all other disciplinary records.
5	Parties Obtaining Access to IDEA Educational Records	2 years beyond the end of the school year when the child becomes 21 years of age, and/or if the child's program extends beyond age 21, at the end of the child's program plus 2 years.
6	Plan for the Collection, Maintenance and Dissemination of Student Records	Until superseded

General Business Records

The Business Administrator is responsible for these records.

	Records/Documents	Retention Periods
1	IRS 1099	6 years
2	Sarbanes-Oxley - False statements, destruction or cover up of records that are subject to a federal investigation.	7 years after audit or review is completed.
3	Sarbanes-Oxley — Financial statements and all working papers, correspondence, and communications	7 years after an audit or review is completed.
4	Severance Pay Agreements	7 years, unless under seal then 20 years
5	Agreements Relating to Compensation	7 years, unless under seal then 20 years
6	Any Contract relating to Employment	7 years, unless under seal then 20 years
7	Contract Implied in Law	7 years, unless under seal then 20 years
8	Payment of Wages	6 years
9	Release Submitted by an Employee	7 years, unless under seal then 20 years
10	Earnings Records	6 years
11	School Board Minute Book	Permanent
11A	Audio and video recordings, or drafts and notes, used in preparation of developing final approved minutes	30 days from date of approval of minutes
12	School District Annual Auditor's Report	Permanent
13	School District's Annual Financial Report	Permanent
14	All other School District Financial Records, including	Not less than 6 years
15	• Financial Account Books	Not less than 6 years
16	• Orders	Not less than 6 years
17	• Bills	Not less than 6 years
18	• Contracts	Not less than 6 years
19	• Invoices	Not less than 6 years
20	• Receipts	Not less than 6 years
21	• Purchase Orders	Not less than 6 years
22	Payroll Basic Records	6 years after fiscal year
23	Payroll Reports Register	6 years after fiscal year
24	Quarterly & Annual Reports	6 years after fiscal year
25	Real Estate Records	6 years after fiscal year
26	Bond Issue / Debt Agreements (All Records Including Invoices and Contracts)	6 years after retirement (final payment) of debt
27	Workers' Compensation	3 years after fiscal year
28	Insurance Claims	6 years after final disposition
29	Insurance Policies	Indefinite

30	Reports / Forms Filed with PA Dept. of Education	Six years after completion of Audit by PA Dept of Auditor General
31	Safe Schools Act Reports	6 years
32	PDE Required Food Service Records	6 years
33	Additions to or Deductions from Wages Paid	6 years
34	Social Security Act Records	6 years after date the tax is due or payment of tax, whichever is later
35	E-Rate	5 years after the last day of services delivered for a particular Funding Year

Environmental Records

The Director of Building and Grounds is responsible for these records.

	Records/Documents	Retention Periods
1	Federal Clean Air Act (CAA) - Standards of Performance for New Stationary Sources	At least 2 years following the date of creating the measurements, maintenance, reports, and records
2	FCAA Operating Permits	5 years, except solid waste permits are not to exceed 12 years.
3	FCAA Monitoring and Related Record Keeping and Reporting Records	At least 5 years from the date of the monitoring sample, measurement, report, or application was conducted
4	FCAA Ozone-Depleter Refrigerant Records. Documentation on recovery of CFCs.	For a minimum of 3 years
5	Federal Clean Water Act (CWA) SPCC Plan	Kept at the site of nearest field office for 5 years
6	CWA NPDES Applications and Permits (including storm water), and any supplemental information supplied	5 years
7	CWA NPDES Applications an Permits (including storm water) and required discharging monitoring reports, pollution preventing plans, or other associated documents	5 years
8	Sanitary Sewer Discharge Permit	10 years
9	Federal Emergency Planning and Community Right-to-Know Act (EPCRA) EPA Form R, all supporting materials and documentation, supporting documentation for a claimed allowable exemption; and reported waste-treatment methods, estimates of treatment efficiencies, the sequential nature of treatment steps (if applicable), and any actual operating data, designed to support "waste-treatment efficiency estimates. (Material Safety Data Sheets)	Keep on site as long as the school uses them

10	Receipts or manifests associated with the transfer of each applicable toxic chemical to off-site locations	n/a
11	Federal Hazard Communication Standard Act (HCS) written Communications Program	Permanent
12	HCS Documentation or Proof that each applicable worker has been trained pursuant to the HCS standard	Permanent
13	RCRA Manifests for transportation of the waste	At least 3 years after the date the waste was accepted by the initial transporter
14	RCRA Biennial Reports or Exception Reports	15 years
15	RCRA Records of any test results, waste analysis, or other determinations relevant to hazardous waste determination	n/a
16	RCRA Land Disposal Notices, Certifications, Demonstrations, Waste-Analyses Data, and Other Documentation.	n/a
17	RCRA Underground Storage Tanks (USTs) Expert Analyses of Site-Corrosion Potential, documentation of USTs system repairs, recent compliance with Release-Detection Requirements, and results of the site investigation conducted at permanent closure.	Permanent
18	RCRA USTs Documents	5 years or any other period of time established by regulatory agency
19	RCRA USTs Release-Detection Records	n/a
	• Written Performance tests pertaining to Release-Detection system and required	n/a
	• Sampling, testing, and monitoring results	n/a
	• All tank-tightness testing results	n/a
	• Written documentation of all calibration, maintenance, and repair of release detection equipment permanently located on site	n/a
	• Schedules of required calibration and maintenance provided by the release-detection equipment manufacturer	n/a
20	Records of all financial mechanisms used to demonstrate financial responsibility for regulated USTs	Permanent
21	PA Hazardous Site Cleanup Act Records pertaining to hazardous substances	a.20 years from the date of unlawful conduct or release discovered for a civil or criminal action b.6 years of the date costs are incurred to recover response costs
22	National Pollutant Discharge Elimination System Act Permits from any monitoring activities and results	A minimum of 3 years, with the possible extension during the any unresolved litigation pertaining to the discharge of pollutants by the permittee or when requested by the Department of Regional

		Administrator.
23	Records of all chemical pest control treatments, except for disinfectant and antimicrobial products, self-contained baits placed in areas not accessible by students and gel-type baits placed in cracks, crevices, or voids, or swimming pool maintenance chemicals	Until the students are 21 years old, plus 3 years.
24	Residual waste records including the types and amounts of waste generated and other required information specified in the Residual Waste Management Act	n/a
25	Toxic Substance and Control Act - Asbestos Operation and Maintenance Plans and Inspection Reports	10 years
26	Toxic Substance and Control Act - Management of Lead Based Paints Records	n/a
27	Personal or Environmental Monitoring of Exposure to Hazardous Materials	30 years

Medical Records

The Director of Pupil Services is responsible for student health records and the Director of Human Resources is responsible for employee health records.

	Records/Documents	Retention Periods
1	HIPAA Notice of Privacy Practices	6 years
2	HIPAA Authorization Form	6 years
3	HIPAA Business Associate Agreement and/or Addendum	6 years
4	HIPAA Privacy Officer designation	6 years
5	HIPAA Security Regulations required documentation	6 years
6	Welfare and Pension Plan Reports	5 years
7	Employee Health Records	3 years after termination
8	Student Health Records (including medical and dental)	At least 2 years after the child ceases to be enrolled

Construction Records

The Director of Building and Grounds is responsible for these records.

	Records/Documents	Retention Periods
1	All Procurement Records	6 years or, if applicable, 6 years past last payment on bond issue.
2	Contracts	6 years or, if applicable, 6 years past last payment on bond issue.

Electronic Records

The Director of Technology is responsible for electronic records, in conjunction with the Directors designated above who are responsible for the paper and electronic records relevant to their areas.

	Records/Documents	Retention Periods
1	Surveillance/Tracking/ Monitoring	If recordings are utilized for disciplinary purposes, then until the disciplinary action / disposition is resolved / reached. Otherwise until the equipment automatically resets
2	Virtual Private Network Activity	90 days
3	Security Tests of Web Applications	Until superseded
4	E-mail that are considered records of the School District	All e-mail archived until July 1st the following year. 365 days.

Disciplinary records are uncategorized and addressed separately.

[2]Category A is defined to include:

> official administrative records that constitute the minimum personal data necessary for the operation of the educational system. Specifically we take this to mean identifying data (including names and address or parents or guardian), birth date, academic work completed, level of achievement (grades, standardized achievement test scores), and attendance data.

'Category B is defined to include:

> verified information of clear importance, but not absolutely necessary to the school, over time, in helping the child or in protecting others. Specifically, scores on standardized intelligence and aptitude tests, interests inventory results, health data, family background information, systemically gathered teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns are included in this category.

[4]Category C is defined to include:

> potentially useful information but not yet verified or clearly needed beyond the immediate present; for example, legal or clinical findings including certain personality test results, and unevaluated reports of teachers, counselors and others which may be needed in ongoing investigations and disciplinary or counseling actions.