General Personnel

Administrative Procedure - Email Retention

Emails, including attachments, sent or received by the District or District employees may be, depending on their content, subject to disclosure under the Freedom of Information Act (FOIA) and/or discovery in litigation as evidence in support of a claim. Employees must use the same standards of judgment, propriety, and ethics with email as they do with other forms of school business-related communications.

Employees have the same responsibilities for email messages as they do for any other communication and must distinguish between record and non-record messages, unless their email messages are automatically archived and permanently retained by the District. This allows for the proper storage or disposal of email. However, no District record, no matter its form, may be destroyed if it is subject to a litigation hold. See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. For guidance on School Board member use and retention of email, see exhibit 2:140-E, *Guidance for Board Member Communications, Including Email Use*. For help with these responsibilities, please contact the District's FOIA Officer.

Non-Record Messages

Email messages are *non-record messages* if they do not evidence the District's organization, function, policies, procedures, or activities; or do not contain informational data appropriate for preservation. These generally do not contain official action. Examples include:

1. Personal correspondence not received or created in the course of District or school business, such as, "What's for dinner?" or "I'll be glad to drive to the meeting."
2. Duplicates of notices concerning meetings or workshops, dates, discussion topics, or material to prepare for or to be discussed during a meeting.
3. *Junk mail*, which includes any unsolicited commercial electronic communication sent to the District and not responded to by the District.
4. Informal correspondence to parents/guardians concerning school activities or an individual student's progress or assignments provided the messages do not contain notice of final or official action, e.g., final grades.

If the email is a *non-record message*, the employee should delete it as soon as its purpose is fulfilled unless the email is subject to a litigation hold. The goal is to control excessive accumulation of material.

Official Record Messages

Email messages are *official record messages* if they are evidence of the District's organization, function, policies, procedures, or activities or contain informational data appropriate for preservation. Some examples include:

1. Policy documents or contract-related documents.
2. Correspondence, e.g., letters, memos, or emails from individuals, companies, or organizations requesting information about the District or school policies or practices and the responses to these requests.
3. Project reports.
4. Correspondence dealing with significant aspects of District administration or a school executive office, including messages containing information concerning policies, programs, fiscal and personnel matters, and contracts.
5. Correspondence between Board members regarding District business.
6. Updates provided to a student's parent/guardian about the student's final grades or a disciplinary matter.

7. Correspondence between administrators regarding an employee investigation.
8. Legal opinions.
9. Correspondence containing recommendations or opinions that are preliminary to a decision.
10. Draft collective bargaining agreement language.

Official record messages should routinely be transferred to the records maintenance location identified by the Records Custodian or Head of Information Technology (IT). Before transferring the message, the employee should identify it as belonging in one of the categories of records established by the Records Custodian or Head of IT. Once transferred, it becomes the official copy, and the original electronic version may be deleted according to the District's approved record preservation and retention schedule. See administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*.

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