

# UPPER BUCKS COUNTY AREA VOCATIONAL TECHNICAL SCHOOL

SECTION: OPERATIONS

TITLE: RECORDS MANAGEMENT

ADOPTED: March 20, 2008

REVISED: December 18, 2008

## 800. RECORDS MANAGEMENT

~~The 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.

~~The 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.

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

~~The Scope~~ The Board shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is prohibited.

**Electronic Mail (E-mail) 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.

<p>65 P.S. Sec. 67.102</p> <p>4. Delegation of Responsibility</p>	<p><b>Records</b> - 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.</p> <p><b>Records Management Plan</b> - the system implemented by the school for the retention, retrieval, and disposition of all records generated by school operations.</p> <p><b>Records Retention Schedule</b> - a comprehensive listing stating retention periods and proper disposition of records.</p> <p><u>Records Coordinator</u></p> <p>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.</p> <p>The Records Coordinator shall be responsible to:</p> <ol style="list-style-type: none"> <li>1. Ensure that training appropriate to the user's position and level of responsibility is provided. Such training may include:             <ol style="list-style-type: none"> <li>a. Operation, care and handling of the equipment and software.</li> <li>b. Requirements of the Records Retention Schedule.</li> <li>c. Protocols for preserving and categorizing school records.</li> <li>d. Procedures and responsibilities of staff in the event of a litigation hold.</li> <li>e. Identification of what is and what is not a record.</li> <li>f. Disposal of records.</li> </ol> </li> <li>2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.</li> <li>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.</li> </ol>
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<p>Pol. 801</p> <p>SC 433</p>	<p><u>Records Management Committee</u></p> <p>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 may include the:</p> <ol style="list-style-type: none"> <li>1. Open Records Officer.</li> <li>2. Administrative Director.</li> <li>3. Joint Operating Committee Secretary.</li> <li>4. Solicitor.</li> <li>5. Supervisor of Technology.</li> <li>6. Business Manager.</li> <li>7. Assistant Administrative Director.</li> </ol> <p>The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.</p>
<p>5. Guidelines</p> <p>65 P.S. Sec. 67.708 20 U.S.C. Sec. 1232g</p>	<p><u>Records Management Plan</u></p> <p>The Records Management Plan shall be the principal means for the retention, retrieval, and disposition of manual and electronic records, including e-mails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records.</p> <p>The Records Management Plan shall include:</p> <ol style="list-style-type: none"> <li>1. Comprehensive listing of records and data of the school.</li> <li>2. Criteria to distinguish records of the school from the supplemental personal records of individual employees.</li> <li>3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced, and disposed.</li> </ol>

4. Preservation measures to protect the integrity of records and data.
5. Data map or flow chart detailing the sources, routes, and destinations of electronic records.
6. Procedures and employee 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.
10. Staff positions authorized to access school 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 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 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. Identify vital records and information.
3. Determine restrictions on access and use.
4. Describe update cycles or conditions.

<p>65 P.S. Sec. 67.506</p>	<p><u>E-mail Records</u></p> <p>E-mail messages, in and of themselves, do not constitute records. Retention and disposition of e-mail messages depend on the function and content of the individual message.</p> <p>Records on an e-mail system, including messages and attachments, shall be retained and disposed of in accordance with the Records Management Plan.</p> <p>E-mail messages and attachments that do not meet the definition of records shall be deleted as required by the Records Management Plan.</p> <p>E-mail records may be maintained as an electronic record or be printed and maintained as a manual record.</p> <p>For each e-mail considered to be a record, the following information shall be retained:</p> <ol style="list-style-type: none"><li>1. Message content.</li><li>2. Name of sender.</li><li>3. Name of recipient.</li><li>4. Date and time of transmission and/or receipt.</li></ol> <p><u>Contractors</u></p> <p>Records created or maintained by contractors employed by the Joint Operating Committee shall be retained and disposed of in accordance with the Records Management Plan.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 433, 518</p> <p>Right-to-Know Law – 65 P.S. Sec. 67.101 et seq.</p> <p>Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g</p>
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Federal Rules of Civil Procedure – 16, 26, 34, 37, 45

Joint Operating Committee Policy – 004, 006, 105.2, 114, 138, 203, 203.1, 209, 212, 216, 216.1, 233, 314, 324, 326, 334, 601, 609, 610, 618, 619, 702, 706, 716, 801, 810, 810.1, 828, 830, 912