

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 800

Section: 800 Operations

Title: Records Management

Adopted: June 24, 2021

Revised:

800 RECORDS MANAGEMENT

Purpose

The Board of Education (“Board”) recognizes that as a governmental agency performing a wide range of educational, personnel, financial, legal, and business functions, the School District of Philadelphia (“District”) generates and receives an extensive variety of written and electronic records. Sound business practices and legal and regulatory requirements dictate that many of these records be maintained in a retrievable manner for prescribed periods of time.

The purpose of this policy is to require the District to establish and maintain a records management system that defines District staff responsibilities and complies with federal and state laws and regulations.

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 District and that is created, received, or retained pursuant to law or in connection with a transaction, business, or activity of the District. 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. [1][2]

Records retention schedule: A comprehensive listing of district records stating retention periods and proper disposition of District records.

Records management system: The system implemented by the District for the retention, retrieval, and disposition of all records generated by District operations.

Authority

As required by the Public School Code, the Board shall retain, as a permanent record of the District, Board 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 District for a period of not less than six (6) years. [3]

All other District records shall be retained in accordance with state and federal law and regulations and the District record retention schedule(s). The District 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. [4][5]

Delegation of Responsibility

The Board directs the Superintendent or their designee, through the Records Management Office, to develop and maintain, in consultation with the Chief Information Officer and Office of General Counsel ("OGC"), a records management system for the District that complies with legal and regulatory requirements and this policy.

The Records Management Office shall be responsible to:

1. Ensure that training is provided to appropriate District staff members. Such training may include:
 - a. Operation, care, and handling of equipment and software;
 - b. Instructions on using the records retention schedule(s);
 - c. Procedures and responsibilities of District staff in the event of a litigation hold;
 - d. Identification of what is and what is not a record; and
 - e. Protocols for the categorization, retention, transfer, storage, preservation, and disposal of records.
2. Review all records retention schedule(s) annually to ensure that record descriptions and retention periods are updated as necessary.
3. Annually notify District schools and offices of the records to be packed for storage or disposed of and ensure that all identified records are properly transferred, stored, or disposed. Each school or office shall conform to these requirements in a timely manner.
4. Periodically evaluate the effectiveness and implementation of the records management system and recommend changes as needed.

Each District school or office shall appoint a records coordinator who shall be responsible for ensuring the school's or office's adherence to the requirements of Board policy and records management system.

Any individual granted access to District records or data is responsible for the legal and ethical usage of the information.

Mandatory Regulatory Procedures

Records Management System

The District is committed to implementing procedures to effectively manage and provide necessary access to District records and data while ensuring the confidentiality, integrity, and availability of the information.

The District's records management system shall be the principal means for the retention, retrieval, and disposition of District records, including paper, electronic, and email records. The system shall not rely primarily on backup systems to manage the retention and disposition of records.

The Office of Records Management shall create and maintain a Record Center Users Guide ("Users Guide") which shall include:

1. Criteria to distinguish records of the District from the supplemental personal records of individual employees. [6][7]
2. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced, and disposed.
3. Preservation and protection measures to protect the integrity of records and data.
4. Procedures and employee designated for determining whether an item is a record.
5. Procedures for adding, revising, or deleting records and data.
6. Records retention schedule(s).
7. Provisions for the storage and retrieval of records in the event of an emergency or disaster.
8. 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 District's compliance with the litigation hold, and
 - 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 a records retention schedule, the Records Management Office, in consultation with the Chief Information Officer and OGC, as needed, shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule(s).

The District shall delete and/or dispose of records in a manner that protects any sensitive, proprietary, or confidential information or individual privacy rights, and helps conserve natural resources.

Records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

Electronic Records

Electronic records shall be retained and disposed of in the same manner as records in other formats.

The District 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; and
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, are District property and shall be retained and disposed of in accordance with the District's records retention schedule(s).

Email messages and attachments that do not meet the definition of records shall be deleted as required by District procedures.

Email records may be maintained as an electronic record or be printed and maintained as a paper 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, and
4. Date and time of transmission and/or receipt.

Contractors

Records created or maintained by contractors employed by the Board shall be retained and disposed of in accordance with the District's records management system. [8]

Legal References:

1. [65 P.S. § 67.102](#)
2. [Policy 801](#) - Public Records
3. [24 P.S. §5-518](#)
4. [65 P.S. § 67.901](#)
5. [Policy 828](#) - Suspected Financial Misconduct and Dishonesty
6. [65 P.S. § 67.708](#)
7. [20 U.S.C. § 1232g](#)
8. [65 P.S. § 67.506](#)

Related Information:

[Records Retention Schedule](#)

[Records Center Users Guide](#)

[65 P.S. §§ 67.101 et seq](#)

Federal Rules of Civil Procedure [16](#), [26](#), 34, 37, 45

[Policy 114](#) - Gifted Education

[Policy 209](#) - Health Examinations/Screenings

[Policy 216](#) - Student Records

[Policy 324](#) - Personnel Files

[Policy 830](#) - Breach of Computerized Personal Information