

## Administrative Procedures for Records Management (Attachment for Policy No. 800)

### **Purpose**

The purpose of these Administrative Procedures is to describe and guide the implementation and application of Board of Education Policy 800 - Records Management.

### **Definitions**

**Document hold:** A communication ordering that all records and data relating to an issue to be addressed by current or potential litigation or investigation be preserved for possible production during the current or potential 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. This can include emails and texts.

**Non-record materials:** Items that are not created, received, or used in the process of transacting or communicating District business, policies, and decisions. Non-Record Materials may include, but are not limited to, extra copies of documents used or maintained for convenience of reference, stocks of publications, blank forms, library and museum material made or acquired and preserved solely for reference or exhibition purposes, notes, journals, diaries, and similar documents created by a District officer or employee for their own personal convenience, copies of documents in any media furnished to the public under the Pennsylvania Right-to-Know Law, advertisements, spam, junk mail, textbooks, instructional material, and preliminary drafts, working papers, and informational notes that have no impact on how information is interpreted or used or that otherwise have no value to the District. Non-Record Materials also include transitory messages which consist of material used to communicate information with short-term value that is not intended to formalize or perpetuate knowledge and does not set policy, establish guidelines or procedures, certify a transaction, become a receipt, or have a bearing on actions or decisions taken or not taken.

### **Procedures**

#### I. **Records Retention**

The District records are generally comprised of business records and student records.

##### (1) Student Records

Student records include records pertaining to individual students which are maintained by the District.

(2) Business Records

Business Records include all records that are not considered Student Records as defined above.

(a) Non-Record Materials

Not all materials legally constitute records for purposes of this Policy and under law. Non-Record Materials are excluded from the definition of a Record and consist of items that are not created, received, or used in the process of transacting or communicating District business, policies, and decisions. Non-Record Materials may include, but are not limited to, extra copies of documents used or maintained for convenience of reference, stocks of publications, blank forms, library and museum material made or acquired and preserved solely for reference or exhibition purposes, notes, journals, diaries, and similar documents created by a District officer or employee for their own personal convenience, copies of documents in any media furnished to the public under the Pennsylvania Right-to-Know Law, advertisements, spam, junk mail, textbooks, instructional material, and preliminary drafts, working papers, and informational notes that have no impact on how information is interpreted or used or that otherwise have no value to the District. Non-Record Materials also include transitory messages which consist of material used to communicate information with short-term value that is not intended to formalize or perpetuate knowledge and does not set policy, establish guidelines or procedures, certify a transaction, become a receipt, or have a bearing on actions or decisions taken or not taken.

The Office of Records Management, in consultation with the Office of General Counsel (OGC) and the Office of Information Technology (OIT) shall create and maintain Administrative Procedures, a Record Center Users' Guide ("Users' Guide"), and a Records Retention Schedule. Record retention periods are determined based on the content, nature, and purpose of the record and not on its format or the media on which the record is stored. Only the Office of Record Management and OGC can establish the records retention periods for each category of records and set retention periods based on legal, fiscal, administrative, and historical value. The Records Retention Schedule provides the minimum retention period the District is required to maintain for each District Record. All District and Board Staff and Board Members shall comply with the retention requirements as provided and shall follow the protocols established by the Office of Records Management to have each record properly disposed of once the record has met its retention period in the absence of document holds, described in Section IV, below.

Each program office shall develop, in conformity with the Records Retention Schedule, and maintain written protocols for records management and submit the same to OGC, the Office of Records Management, and OIT. These protocols shall include the following:

- (1) The location(s) where each type of record retention category is stored (e.g., Google Drive/hard drive/application/traditional file cabinet);
- (2) The form(s) in which each type of record retention category is stored (e.g., electronic/paper); and

(3) Processes for transferring and/or preserving records subject to retention or document hold(s) upon an employee's separation from the District.

Each program office shall consult with and notify the Office of Records Management, OGC, and OIT regarding changes to their protocols, or if changes to the Records Retention Schedule are necessary.

## II. Records Storage and Destruction

Unless a document hold is in place, each District program office shall annually destroy records that have passed the retention schedule timelines. OIT shall annually, prior to the conclusion of the fiscal year, send notification to all District program offices to destroy records in conformity with the Records Retention Schedule and Users' Guide and/or document hold and preserve any records that fall into a records retention category in conformity with that program office's written protocols.

A program office shall follow the Users' Guide and its own written protocols to manage documents that should be retained, stored and/or retrieved (e.g., hard copy storage, external hard drive, off-site electronic storage).

A program office shall follow the Users' Guide when destroying records and submit a certification to the Office of Records Management/OGC and properly note the records being destroyed or stored, so they can be located at a later time. Records that have been disposed prior to submitting a certification must be reported to the Office of Records Management.

Non-record materials may be destroyed at any time without prior approval. Non-record materials that contain confidential information, including, but not limited to, social security numbers, student information, employee information, and information pertaining to legal or investigation matters must be destroyed or permanently deleted in a manner so that such information cannot be identified or retrieved.

District Records destroyed or damaged by fire, flood, natural disaster, environmental conditions, or lost due to theft or disposal-in-error must be immediately reported to [recordsdestruction@philasd.org](mailto:recordsdestruction@philasd.org).

If there are any questions regarding whether a document is a record that should be preserved and/or which records retention category it falls under, then the program office should contact OGC and the Office of Records Management.

## III. Document Holds

Upon receipt of a document hold, District staff shall not delete, destroy or alter any records responsive to the hold. District staff should also gather documents and/or the physical or electronic location of documents that are sought and provide the same to OGC. If there is any question as to whether a document falls within the parameters of a document hold, District staff

should preserve the document. Any ambiguities are to be resolved in favor of retaining documents. All document holds should be sent to OGC, OIT, and the Office of Records Management, unless specifically prohibited.

OGC shall notify, upon a reasonable expectation of litigation or actual notice of litigation or investigation, all District program offices and/or staff that could have documents that are related to or regarding the matter which it has determined the District has a legal obligation to preserve. The notification shall define the subject matter of the documents that should be preserved indefinitely and not destroyed, as well as the definition of “documents.”

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. If you receive any request for production of documents or information from any person or entity outside of the District, you must promptly notify the OGC, unless you are advised by the District’s Office of Inspector General or a law enforcement or judicial agency not to do so.

#### IV. Training

The Records Management Office, in conjunction with OIT and OGC, shall provide training to appropriate District staff members. Such training may include by way of example:

- a. Instructions on using the records retention schedule(s).
- b. Procedures and responsibilities of District staff in the event of a document hold.
- c. Identification of what is and what is not a record.
- d. Protocols for the categorization, retention, transfer, storage, preservation and disposal of records.

#### **Maintenance Schedule**

These Administrative Procedures shall be reviewed on an as needed basis.