

## RECORDS MANAGEMENT AND RETENTION POLICY

### **Introduction**

The University of Scranton requires that different types of records be retained for specific periods of time, and has designated official repositories for their maintenance. These records must be managed according to procedures that are outlined in this document. The University is committed to effective records retention to preserve its history, meet legal standards, optimize the use of space, minimize the cost of record retention, and ensure that outdated and useless records are destroyed. This policy is applicable to every division, department, and office on campus with the exception of the Faculty Affairs Council.

All records created, received, or maintained by University departments during their operations belong to the University and are retained and disposed of according to this policy. University records must be kept until the stated minimum retention period has elapsed.

### **Managing Official University Records**

Departments and offices that maintain university records are called “official repositories.” These administrative units are responsible for establishing appropriate record retention management practices. Each department head or designee (data steward) must:

- implement the unit’s and/or office’s record management practices;
- ensure that these management practices are consistent with this policy;
- educate staff within the administrative unit in understanding sound record management practices, including protection of official records against misuse, misplacement, damage, destruction, or theft;
- implement safeguards against accidental or deliberate deletion or alteration of electronic records;
- preserve inactive records (see Appendix A, Definitions of Terms) of historic value, and transfer those records to the University Archives;
- ensure that access to confidential files is restricted, whether in the original department or after transfer to the University Archives;
- implement appropriate access and audit controls on electronic record data;
- destroy inactive records that have no archival value upon passage of the applicable retention period.

### **Preserving or Disposing of Official University Records**

When the prescribed retention period (see Records Retention Schedule) for official university records has passed, a determination of whether to preserve or dispose of the documents must be made. The University Archivist, who has the authority to designate which records are archival, should be consulted when deciding if a record is of historical value to the University (see Appendix B, Archival Record Categories).

### *Archival Records*

If it is determined that the records are archival, they should be transferred to University Archives, located in Room 400 of the Weinberg Memorial Library (x6341). Call the University Archivist to:

1. Review records to be sent to University Archives.
2. Request archival boxes (1 full file drawer = 2 boxes).
3. Request a transfer form.
4. Schedule a time for boxes to be picked up.

### *Non-archival Records*

If it is determined that it is appropriate to dispose of the records, destroy them in one of the following ways:

1. Recycle non-confidential paper records.
2. Shred or otherwise render unreadable confidential records.
3. Erase or destroy electronically stored data.

**Caution:** Electronic records generated and maintained in university information systems or equipment should be periodically reviewed to ensure that these requirements are met. Examples of common electronic records include word processing documents, electronic mail, databases, and web sites.

Electronic records must be captured within a reliable record management application. Records must include all essential data and metadata describing the content and structure of the record and the context of creation. Accurate links must be maintained between all related paper and electronic and record elements.

Electronic records must be evaluated by appropriate Information Technology staff to determine retention requirements. Electronic record management applications must provide for automated retention and destruction of electronic records in accordance with disposition schedules.

Data stewards, in consultation with appropriate Information Technology staff, must develop strategies for long-term preservation of electronic records. These strategies must:

- include provisions for guaranteeing availability and integrity of electronic records through system migration
- mitigate the risk of data inaccessibility due to hardware obsolescence, storage medium deterioration, or software dependence
- include appropriate policies and procedures for data backup

Electronic records in jeopardy of permanent, unavoidable access loss should be converted to paper or other human readable format and preserved accordingly.

University records (regardless of the storage medium) can be disposed of upon reaching the minimum retention period stated in this policy, provided the department does not need the records for future administrative, legal, research/historical, or fiscal purposes.

- administrative value: contain information applicable to current or future university operations.
- legal value: contain evidence of legally enforceable rights or obligations of the University.
- research or historical value: document the purpose, growth, history, services, programs, and character of the campus.
- fiscal value: required for budget development, financial reporting, or audit purposes.

The data steward is responsible for performing, at least annually, a review to determine the value or usefulness of departmental records. During this review, the data steward should identify and designate for disposal (destruction or transfer to an archive) the records with elapsed retention periods (time maintained in office plus time in inactive records area) that are no longer useful. By August 31 of each year the data steward will have completed the yearly records review and will have sent written confirmation (by memo or e-mail) to the University Archives (see Appendix C, Flow Chart).

### **Confidential Records**

The purpose of these guidelines is to define confidential records; strengthen safeguards against the unauthorized or accidental disclosure of confidential records and information; and to define appropriate measures for reasonable care in the disposal of confidential information, including its protection during storage, transportation, handling and destruction.

1. The following types of records are absolutely confidential:
  - (a) individual education records of living students or living former students, as defined by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, unless the student or former student grants access in writing or unless one of the exceptions contained within FERPA applies;
  - (b) individual employment records of living current or former faculty members, administrators or other staff members, including records which concern hiring, appointment, promotion, tenure, salary, performance, termination or other circumstances of employment, unless the faculty member, administrator, or staff member grants access in writing;
  - (c) records that include “protected health information” as the same is defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. 1171 et seq. and regulations promulgated thereunder;
  - (d) records that include “nonpublic personal information” protected under the safeguarding rules of the Gramm-Leach-Bliley Act of 2000 (GLBA).
  - (e) other records where usage might constitute an invasion of privacy;
  - (f) records the use of which has been restricted by contract;
  - (g) any other records with specific regulatory confidentiality requirements.

2. The following types of records generally will be treated as confidential:
  - (a) administrative records of the University for twenty-five years from date of their creation, with certain exceptions, such as those which must be open in conformance with law;
  - (b) records of a sitting administration;
  - (c) records the disclosure of which might expose the University to legal liability.

## **Recommended Procedures for Confidential Destruction**

1. **Retention Period**

Only those records retained for a period of time equal to or greater than the applicable retention schedule may be disposed of in accordance with these guidelines. The retention schedules may be viewed at <https://www.scranton.edu/general-counsel/policies.shtml>
2. **Suspension of Records Destruction in the Event of a Claim, Lawsuit, Government Investigation, Subpoena, Summons or Other Ongoing Matters.**

Upon service of legal process (subpoena, summons or the like), or upon learning of an investigation or audit, or if a claim is made, whether formal or informal, or a dispute arises, the records retention schedules referenced above shall be suspended and records related to the legal process, claim, dispute, investigation or audit should not be destroyed.

Record retention periods may be increased by government regulation, judicial or administrative consent order, private or governmental contract, pending litigation or audit requirements. Such modifications supersede the requirements listed in this policy. Suspension of record destruction required by any of these reasons will be accomplished by a notice sent out to affected units by the Office of General Counsel, the Internal Auditor, the Finance Division, or the Office of Research Services.

  - **Note:** No document list can be exhaustive. Questions regarding the retention period for any specific document or class of documents not included in these tables should be addressed to the Office of General Counsel.
  - **Caution:** Departments and units that are not official repositories and that retain duplicate or multiple copies of these university records should dispose of them when they are no longer useful.
3. **Destruction Authorization**

Data stewards are responsible for authorizing the disposal of records. When the records to be disposed of are confidential, the services of the document destruction service with which the University has contracted, Paper Eaters, LLC, should be used. No documents that contain sensitive or confidential information should be placed in the trash without being shredded.

4. **Disposal of Electronic Records, Film, and Tapes**  
Electronic or machine-readable records containing confidential information require a two-step process for assured, confidential destruction. Deletion of the contents of digital files and emptying of the desktop “trash” or “waste basket” is the first step. It must be kept in mind, however, that reconstruction and restoration of “deleted” files are quite possible in the hands of computer specialists. With regard to records stored on a hard drive, it is recommended that commercially available software applications be utilized to remove all data from the storage device. When properly applied, these tools prevent the reconstruction of any data formerly stored on the hard drive. With regard to floppy disks, CD-ROMs and back-up tapes, it is recommended that these storage devices be physically destroyed.

Film, audio and videotapes containing confidential information should also be physically destroyed, not simply thrown away. It is possible to overwrite audio and videotapes with other, non-confidential sound and images, but if this is done, it is recommended that it be done by an authorized member of the staff in the office of origin.

5. **Destruction Record**  
A destruction record is an inventory describing and documenting those records, in all formats, authorized for destruction, as well as the date, agent, and method of destruction. The destruction record itself should not contain confidential information. It is anticipated that in most cases only one copy of the destruction record will be retained, in the office of origin. The destruction record may be retained in paper, electronic, or other formats.

### **Policy Review**

This policy and the record retention schedule will be reviewed annually for the purpose of making any necessary revisions in light of technological developments, changes in legal requirements, or changes in administrative practice. The General Counsel will be responsible for the annual review and update of the policy. Each unit’s data steward will be responsible for transmitting record retention updates pertaining to his or her own unit to the Office of General Counsel for inclusion in the schedule.

## APPENDIX A Definition of Terms

**Active Records:** Documents including both written and printed matter, books, drawings, maps, plans, photographs; microfiche; films, sound and video recordings; computerized data on disk or tape; or copies thereof made or received by any academic or administrative office of the University in connection with the transaction of University business, and retained by such office as evidence of the activities of the University or because of the information contained therein.

**Administrative Value:** The usefulness of records in current or future University operations.

**Archival Records:** University records which are inactive and are not required to be retained in the office in which they originate or are received. These records have permanent or enduring legal, fiscal, administrative, research or historical value and therefore should be retained and preserved indefinitely.

**Correspondence:** Any form of written communication sent or received in the course of the business of a department. The term includes letters, memos, notes, e-mail, faxes, etc.

**Creator:** The person, department, or office that creates, receives, or assembles records.

**Data Steward:** Department head or designee charged with implementation of this policy regarding records of his or her department, program, and/or committee.

**Disposable Records:** University records which have temporary value, and in consequence thereof, may be destroyed after the lapse of a specified period of time, or after the occurrence of some act which renders them valueless.

**Disposition:** The actions to be taken at the end of the active life of a record. Such dispositions may include 1) retain permanently in the office of creation; 2) transfer to inactive storage; 3) transfer to remote storage; 4) transfer to the University Archives; 5) destruction after the legal retention period.

**Fiscal Value:** Required for budget development, financial reporting, or audit purposes.

**Inactive Records:** Records which are no longer used on a regular basis.

**Legal Value:** Contain or constitute evidence of the University's legally enforceable rights and obligations.

**Memorabilia:** Items of historical value such as programs, posters, brochures, clippings, buttons, flags, stickers, etc.

**Official Repository:** The department or office designated as having responsibility for retention and timely destruction of particular types of official university records. Such responsibility is assigned to the data steward.

**Research or Historical Value:** Document the purpose, growth, history, services, programs, and character of the campus.

**Retention Period:** The minimum time a record must be kept by law, custom, or the custodians of the record.

**University Archivist:** The individual responsible for 1) designating which official University records are archival; and 2) effecting the transfer of archival records from the office in which they originated or were received to the University Archives at such times and in the manner and form prescribed by the Archives and subject to the appropriate retention schedule referenced in this document.

## APPENDIX B Archival Record Categories

Special Collections and the University Archives located in Room 400 in Weinberg Memorial Library (x6341) is the primary repository on campus for records of permanent historical, administrative, and legal value. The following list provides general guidelines of the types of records that the University considers to be archival. Records of this sort should not be discarded or destroyed without consulting the University Archives first. This list is not comprehensive. Additional materials might be candidates for archival storage. The Archives documents the administration and the functions of the University by collecting the records produced by the president, vice presidents, upper level administrators, schools and colleges, academic departments and programs, research centers, the library, committees, boards, councils and other governance bodies. These records are the primary evidence of The University of Scranton's history and activities and constitute the permanent historical record of the University.

- Correspondence
- Constitutions and by-laws
- Topical/subject files
- Meeting agendas, minutes, and other committee materials
- Planning documents
- Accreditation records
- Policy and mission statements
- Reports, summaries and surveys
- Procedures manuals
- Publications
- Promotional and outreach materials
- Grant and project files
- Event records
- Research records
- Teaching and curriculum materials
- Press releases
- Photographs
- Video and audio recordings

Other records such as student records and employee records contain confidential information and should remain with their appropriate departments.

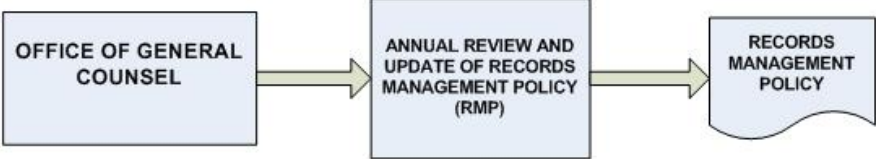
Records of Faculty can be suitable for permanent status. The following is a brief list of relevant faculty records.

- correspondence of a substantive nature, including e-mail
- lecture notes and curriculum materials, speeches
- records of departmental or university-wide activities
- research-related records
- bibliographies, vitae, photographs, films, and audio and video recordings

Please contact Michael Knies at [Kniesm2@Scranton.edu](mailto:Kniesm2@Scranton.edu) or x6341 with questions.



**APPENDIX C**  
**Flow Chart**  
**ANNUAL RECORDS MANAGEMENT REPORTING AND UPDATE PROCESS**



**Timing of Completion of ARRF Forms and Update of RRS Schedules:**  
 1. Distributed in June.  
 2. Return in August.

