

**Marietta College**  
**Records Retention Policy**  
August 2009

This policy is intended to assist responsible persons to retain records appropriately without imposing an excessive work burden. In most cases, retaining records in accordance with the attached schedules should be sufficient to comply with this policy.

Marietta College is committed to effective records management. This policy applies to all records- paper, electronic, or other formats. College records must be maintained in a consistent and logical manner in accordance with the attached schedules to:

1. ensure compliance with legal standards for record retention and privacy protection;
2. promote efficiency in the management of College records by optimizing the use of space, minimizing the cost of record retention, and properly destroying outdated records;
3. ensure adequacy of records for College decisions and actions; and
4. preserve records that have historical value to the College.

**Records definition**

Records are defined as documents, regardless of format, that are created or received during transaction of College business. College business includes activities that document the organization, functions, policies, decisions, procedures, operations, or other activities of the College. Records provide evidence of the College's legal existence, policies, procedures, and operations. They are created and maintained for legal, fiscal, or administrative purposes and destroyed at the end of their usefulness. Records with enduring historical value are maintained indefinitely. Records are classified into retention periods regardless of format and include but are not limited to:

1. correspondence, notes, or minutes pertaining to College administration, governance or operation;
2. financial transactional records;
3. annual reports or publications;
4. operational working papers and routine reports;
5. student records, course documentation, transcripts and other documents pertaining to student; and academic activities;
6. human resource records;
7. web sites, including images, support documents, and audio/video files ; and
8. Electronic messages, including e-mail, instant messaging, voice mail, metadata, etc...

**Exclusions**

The following are documents that are not considered College records:

1. Personal employee or student correspondence (paper and electronic);
2. Journals, books, other library materials; and
3. Scholarly works produced by individual members of the campus community, primarily faculty.

**Record Life Cycle**

Records are usually created by typing/word processing, audio or video recording, or hand writing. Following creation, records are distributed and used as described above. The term of use depends on the nature of the record. While many records may be destroyed after use, some must be retained for legal, fiscal, or other administrative reasons. Since immediate access to these records is no longer required, they

are typically stored offsite or offline to preserve storage capacity and system efficiency. Records having historical value are retained in permanent storage location.

### **Retention Schedules**

The retention schedule attached hereto specifies how long records are kept to comply with legal, administrative, fiscal, and historical requirements.

### **Records Retention Practices**

Departments that maintain College records are responsible for following appropriate records management procedures and practices. The department head has ultimate responsibility for records maintenance and policy compliance, even though the department head may delegate daily records management. Accordingly, the department head must accomplish the following in consonance with this policy as part of his/her job duties:

1. be familiar with this Records Retention Policy;
2. develop and implement the department's record retention procedures and practices;
3. educate departmental staff to ensure compliance;
4. manage/restrict access to confidential records and information; and
5. coordinate timely records retention or destruction.

### **Records Retention and Maintenance**

College records shall be maintained:

1. as long as they are administratively and/or historically significant;
2. until statutory, judicial or other requirements have been satisfied; or
3. until the minimum retention period as established by the attached retention schedule has expired.

### **Records Destruction**

Records eligible for disposal can be destroyed in one of the following ways:

1. recycling before shredding (non-confidential paper records);
2. recycling after shredding or otherwise rendering unreadable (confidential paper records); or
3. erasing or deleting electronically stored data. (IT staff can assist)

Individual department heads are responsible for records destruction consistent with this policy. Except as described below in **Preservation of Records Relevant to Legal Matters** If records have been destroyed in accordance with this policy and the attached schedules, the department is not expected to produce those records for an audit, court or public disclosure proceeding. However, records pertaining to on-going pending audits or to judicial or public disclosure proceedings must not be destroyed until the issues are resolved, regardless of the approved retention period.

### **Confidentiality**

Many records contain non-public, confidential data. Such records are protected by federal, state and local statutes, including the Family and Medical Leave Act (FMLA), the Educational Rights and Privacy Act (FERPA), the Gramm-Leach-Bliley (GLB) Act, and the Health Insurance Portability and Accountability Act (HIPAA). The College pledges compliance with confidentiality requirements and requires members of the campus community to be similarly knowledgeable and compliant.

### **Preservation of Records Relevant to Legal Matters**

Records relevant to pending or anticipated litigation, claim, audit, agency charge, investigation or enforcement action shall be retained at least until final resolution of the matter. In these circumstances,

the President and Vice President for Finance and Administration will notify relevant departments and direct employees to preserve relevant records including possible suspension of records destruction as specified elsewhere in this policy and the supporting schedules. Employees who anticipate or become aware of an investigation or legal proceeding involving the College must promptly notify the President or Vice President for Finance and Administration.

### **Electronic Records (or Electronically-Stored Records)**

Electronically-stored records (ESIs) generated in conducting College business are subject to the same retention and destruction requirements as paper records. ESIs are not readable without some type of technology and are stored on an electronic medium, such as CDs, DVDs, workstation hard drives, network drives, flash drives, and servers. Examples of ESIs are spreadsheets, word processing documents, databases and applications, audio, video, instant messages, chat, text messages, and e-mail.

While ESIs residing on system hard drives and servers are routinely backed up for safety and business continuity purposes, back up processes do not meet the requirements of this policy as the system administrator is not the legal custodian of ESIs that may be included in such back up files. Backup media are rotated on a routine basis, with the oldest being replaced with current data. As such, the legal custodian (person originating or receiving ESIs) should not depend on backups to assure ESI retention. Instead, the department must assure ESI retention in accordance with this policy and the attached schedules.

### **E-mail**

E-mail is a special type of ESI and is subject to the terms of this policy and the attached schedules. When used in College business, the legal custodian of an email message is the originator if that person is a College employee. Otherwise, it is the individual to whom the message is addressed once the message is received. The legal custodian is responsible for ensuring record management compliance. If the legal custodian leaves College employment, the applicable supervisor assumes responsibility.

The content of each e-mail dictates its retention requirements. The legal custodian must judge the content as applying to one of attached schedules and retain it accordingly. E-mail not pertaining to College business need not be retained in accordance with this policy. E-mail messages can be stored and preserved on the e-mail system and/or within the department's electronic files. To ensure the continued integrity of the message, these parts must be preserved:

1. e-mail message itself;
2. name of the sender;
3. name of the primary recipient and other recipient(s);
4. additional routing information;
5. time and date of transmission and receipt; and
6. any attachments.

Please address questions to your immediate supervisor or department designee. For additional assistance please contact the Controller's office at x4720.