



## Delaware State University

**University Area(s) Responsible:** Office of Human Resources; Information Technology Department

**Policy Number & Name:** 4-04: Records Management, Retention and Disposition Standards

**Approval Date:** 7/11/11

**Revisions:** \_\_\_\_\_

**Related Policies and Procedures:** \_\_\_\_\_

### Purpose

The purpose of this policy is to:

1. Outline the University's requirements for its Records Management and Retention Program including records creation, maintenance, organization, use, security, disposal and archive.
2. Define criteria for the identification of vital records and the requirements for the maintenance, security and handling of vital records.
3. Provide for the schedules of records retention and disposition.

4. Outline criteria for the conversion of retained or archived records to a different medium (e.g. paper to microfiche, disc or scanned documents).

## **Policy**

It is the policy of Delaware State University that all staff and students adhere to the comprehensive records management program which ensures all University records are properly and securely managed, replaced (in the case of vital records), disposed of, preserved and/or archived.

Federal and State of Delaware regulations require that the University adhere to numerous record retention mandates. The appropriate time periods for record retention are fact specific and subject to ongoing statutory and regulatory changes. Each department should develop its own records retention management plan in meeting the criteria outlined in this policy.

## **Responsibilities for Managing University Records**

The responsibility of managing University records will fall on Unit/Department/ directors and respective supervisors of areas that have traditionally housed records and/or information that should be subject to the procedures set forth; e.g. student admissions, human resources, student accounts, health clinic, etc.

Each unit's administrator or designee must do the following:

- Implement the unit's records management practices.
- Ensure that these records management practices comply with this policy.
- Teach unit staff sound records management practices.
- Preserve inactive records of legal, fiscal, administrative, or historical value and arrange for their transfer to the University Archives.\*
- Ensure that access to confidential files is restricted. Long-term restrictions on access to selected archival records should be arranged at the time of their transfer to University Archives.
- Destroy inactive records that have no archival value upon expiration of the applicable retention period.

\*Historic value of the record will be determined by the Head of the Unit from which it originated and the University Archivist.

## **Procedure: Retention and Disposal of University Records\***

### **A) Retention and Maintenance of Records**

Records must be maintained in a consistent and logical manner and be managed so that the University ensures that:

1. It meets legal standards for protection, storage and retrieval;
2. Protects the privacy of faculty, staff, students and patients of the University;
3. Optimizes the use of space;
4. Minimizes the cost of record retention and destroys outdated records in an appropriate manner.

Departments that maintain University records are responsible for establishing appropriate records management procedures and practices. The administration of each department is accountable for ensuring that documents are stored properly. Further, management is also responsible for the following:

1. Educating staff within the department in understanding sound record management practices;
2. Restricting access to confidential records and information; and
3. Coordinating the destruction of records as provided in the applicable procedures.

### **Records in Hard Copy Form (paper, magnetic tape, CD, DVD, film, etc.)**

If it has been determined that the records are archival a transfer to the University Archives will be requested which will include a Transfer Request Form; appropriate container(s) and time to conduct the transfer.

### **Records in Electronic Form**

All departments must include ESI (electronically stored information) elements in the development of their records management plans to ensure employees are fully informed of the standards for which they are expected adhere to.

The official repository for electronic records with the assistance of University Archives will manage those records and retain them in accordance to this policy.

### **Confidentiality Requirement**

Many records subject to record retention requirements contain non-public confidential data. Such records are protected by federal, state and local statutes, including the Family Educational Rights and Privacy Act (FERPA), and the Health Insurance Portability and Accountability Act (HIPPA). In addition to the statutory requirements, any records that contain confidential data should be treated in accordance with the University's confidentiality procedures.

Examples of Confidential Data include:

1. Medical records;
2. Student records and other non-public student data;
3. Social Security Numbers\*;
4. Personnel and/or payroll records;
5. Bank account numbers and other financial information;
6. Any data indentified by government regulations to be treated as confidential, or sealed by order of a court of competent jurisdictions.

\*Social Security Numbers must not be collected or stored unless it is required by law or they are needed to carryout departmental activities that cannot be immediately facilitated by other means.

### **B) Disposal and Destruction of Non-Archival Records**

The destruction or disposal of any records that can be destroyed or disposed of must be done in one of the following ways:

#### **Confidential Paper Records**

- Shred or otherwise render unreadable confidential paper records.

#### **Confidential Electronic Records**

- Delete (erase or destroy) confidential electronically stored data. (Information Technology can assist you in effectively disposing of this data).

## **Non-Confidential Paper Records**

- Recycle Non-Confidential Records or dispose of in an appropriate manner.

## **Non-Confidential Electronic Records**

- Simply delete Non-Confidential Electronic Records.

## **Vital Records Protection**

All Unit/Department Heads are responsible for identifying and protecting records in their respective Units that would ensure the uninterrupted functioning or the restart of University functions to the extent possible in the event of a disaster. Backup copies must exist in a usable state in order to recreate the University's status and position prior to the disaster. Information Technology will assist Unit Heads in creating and maintaining backups for Vital Records at the University.

Units/Departments are responsible for identifying and taking the necessary steps to protect their vital records. The first step is to review all records and identify which of them are vital. Then, a vital records protection program should be established.

Areas to consider for your department's vital records protection action plan are:

- Inventory records to identify which records are vital;
- Do the vital records already have a back up copy stored elsewhere?
- Consider the costs of protection of vital records via duplicate copy stored at different location;
- Preserve source records which could be used to reconstruct the vital records;
- Store non-electronic records in special equipment, such as fire resistant cabinets
- Identify potential hazards and prepare for them;
- Comply with retention schedule for the vital records.

It is important to work in coordination with your Information Technology group in order to ensure that all vital records are protected and to not duplicate efforts.

## **Confidential Records**

If you have questions about your responsibilities, please contact your Unit/Department Director or Supervisor. For additional assistance please contact the Office of Legal Affairs at 302-857-7841. The Office of Legal Affairs will work with you to understand your document retention issues and to provide guidance on this policy.

**\*Record Retention and Disposal procedures may be affected by government regulation, judicial or administrative consent orders, private or governmental contract, pending litigation, or audit requirements. Such modifications/notifications/requests supersede the requirements set forth in this policy.**

## **Definitions**

### **University Record\***

Any form of recorded information, regardless of physical characteristics, that is created, received, recorded, or legally filed in the course of University business or legal action. Included, but not limited to, are: active records, archival records, and inactive records. \*An official record can be in the form of original paper, or may be a digital surrogate at the discretion of the official repository.

### **Active Record**

A record with current use for the unit, department, or division that generated it. Records remain active for varying numbers of years, depending on the purpose for which they were created.

### **Archival Record**

A record that is no longer required by the unit, department, or division in which it originated or was received, and that has permanent legal, institutional, or historical value.

### **Vital Record**

A record that contains information needed to establish or continue the services, duties and responsibilities of an office, department, or University division in the event of a disaster; a record necessary to recreate the University's legal and fiscal position; a record necessary to preserve the rights of the University, its Trustees, Faculty, Professionals, Staff, and Students. Examples of University vital records are Patent Agreements, Promissory Notes, Royalty Agreements, and Ownership Records of Vehicles.

### **Inactive Record**

A record with no current use for the unit, department, or division that generated and that has not yet reached the end of its retention period.

## **Official Repository**

The unit, department, or division designated as having responsibility for retention, and timely destruction of particular types of University records. Such responsibility is assigned to the unit's administrator or designee.

## **University Archives**

A University division that promotes knowledge and understanding of the University's origins, aims, programs, and goals; and facilitates effective records management. The Archives collects and preserves records of historical legal, fiscal and administrative value. It provides permanent retention of official records of the University, its officers, and component parts; maps and architectural records; audiovisual materials; publications; and artifacts documenting the University's history.

## **University Archivist**

The person responsible for (1) designating which University records have historical value, and (2) effecting the transfer of all archival records from the unit, department or division in which they originated or were received to the University Archives at the appropriate time and manner.

## **Classification of University Records\***

University records will be assigned a Type, an Official Repository and a Duration period.

Examples of **Type** are: Academic/Student; Admissions; Accounting/Finance; University Registrar, Human Resources, etc.

Examples of **Official Repository** are: Office of Admissions; Office of the Registrar, Institutional Research and Planning, etc.

Examples of **Duration** are: Permanent; 1 year from admission date; 5 years from graduation, etc. (It will vary and depend on the type of document.)

Unit Heads and University Archivist will be responsible for determining whether or not a record is of sufficient value to be kept in the University Archives. Unit heads will classify the records within their units and assign them a **Type**, prepare their unit to be their **Official Repository** and assign them a **Duration** period following University, state and Federal guidelines for the management of paper and electronic records.