
DATA/RECORDS RETENTION

I. PURPOSE

To establish a uniform, county-wide system for the retention and disposition of school system records

II. DEFINITIONS

Employee – An employee under this policy is a Board member, an individual employed by the Board, including tenured and non-tenured teachers and certificated and non-certificated individuals, whether full-time, part-time, or temporary, interns, vendors, consultants, contractors, volunteers and authorized agents who use CCPS technology and communication systems.

Litigation hold – The process which preserves all records when any pending or threatened legal proceeding to which CCPS or any CCPS employee, in his/her capacity as a CCPS employee, is a party or a witness is brought in any court, alternative dispute resolution forum, or administrative agency; or any other legal proceeding where CCPS or CCPS employees hold records that are relevant to such legal proceeding. Litigation includes not only existing litigation but also includes situations where CCPS or CCPS employees have notice, should know, or reasonably can anticipate future litigation.

Official custodian – An employee responsible for maintaining a public record and adhering to maintenance and disclosure consistent with state and federal requirements, whether or not the employee has physical custody and control of the record.

Record – A record is defined for the purposes of the records retention system as any material created or received by the Board and CCPS or any employee in connection with the transaction of CCPS business. A record includes any form of documentary material, including but not limited to paper documents, electronic documents (including Email), microfilm, drawings, maps, pictures, and any other documentary material in any format in which business information is created or maintained.

1. **Permanent records** are public records which have been appraised by law, statute, rule, agency personnel and/or the State Archivist as having ongoing administrative, fiscal, legal, historical, or other archival value. Permanent records must be transferred to the State Archives for preservation and permanent retention. Examples of permanent records include, but are not limited to: official correspondence that serves to document the origins, history, and accomplishments of an agency, agendas, and minutes of official meetings, books of final entry and general ledgers, and external audits of the agency. An

agency's retention schedule should (1) identify which records are permanent and (2) state how long permanent records need to be maintained at the originating agency prior to transfer to the Archives. Records designated as permanent are permanent in any form or format.

2. **Non-permanent records** are public records with temporary value which may be disposed of after the passage of a specified period of time. Disposal criteria must be specified in an approved records retention and disposition schedule. Examples of non-permanent records include personnel records and timesheets, purchase orders, agency reference copies of State laws and publications, agency reference copies of legislative audits, and draft agendas and unofficial minutes of meetings.

3. **Non-records**

- a) A *record* shall not include copies of original documents maintained elsewhere by CCPS, whether or not the copy is maintained in the same format. For example, if a document is maintained in a hard copy, it does not need to be retained electronically as well. If an employee creates and distributes a document to another employee or other employees, it will be the primary responsibility of the sender to maintain an official copy under the records system guidelines, or otherwise ensure compliance with the records system guidelines.
- b) A *record* shall not include drafts of final documents, unless the draft is required to be retained for future business or for historical purposes. A *record* shall not include personal notes made by an employee to refresh the employee's recollection, as long as the notes are not shared with other employees and/or used for the conducting of CCPS business.
- c) A *record* shall not include such documentary materials created or received by the Board or CCPS that are of temporary value, are not required to be continually maintained for the conducting of current or future CCPS business, and are not required for historical reference. This would include, for example, invitations or announcements, phone messages, advertisements, commercial catalogues, books, general periodicals or other publications (such as newspapers or magazines) published outside of CCPS, out-of-date information, or other general correspondence that is typically not kept beyond its usefulness in the normal course of business. Email records do not include related tools such as the calendars and events, personal or global contacts, email distribution lists, personal tasks, or notes created and stored in the email system.

III. POLICY STATEMENT

The Board of Education is committed to maintaining a formal records retention and/or disposal system that ensures compliance with the requirements established in federal and state laws and regulations including, but not limited to, the Maryland Public Information Act (MPIA) and the Family Educational Rights and Privacy Act (FERPA).

- A. All records of Carroll County Public Schools shall be retained and/or disposed of in accordance with *Records Retention and Disposal Manual for Public School Systems of Maryland* and the *Maryland Student Records Manual*.
- B. Records associated with the Public School Construction Program must be retained in accordance with schedule 2057 of the Department of General Services Records Retention and Disposal Schedule.
- C. All schools, administrative departments, and employees shall be responsible for adhering to the system requirements regarding records they receive, oversee, and create.

IV. EXCEPTIONS

There are no exceptions to this policy.

V. GUIDELINES

Guidelines for the records retention system shall be established in the administrative regulations for this policy in accordance with the *Records Retention and Disposal Manual for Public School Systems of Maryland*, *The Maryland Student Records Manual*, and Schedule 2057 of the Department of General Services Records Retention and Disposal Schedule.

VI. REPORTS

None.

VII. EXPIRATION/REVIEW

This policy will be reviewed at the end of two years, or sooner.

VIII. DELEGATION OF AUTHORITY

The superintendent/designee has the responsibility for enforcing this policy by communicating it to all relevant parties and by providing necessary instructions and/or administrative regulations (if appropriate), to all staff members.

IX. EFFECTIVE DATE

APPROVED: