

# NEW RIVER COMMUNITY AND TECHNICAL COLLEGE PROCEDURE NO. 42

**TITLE:** Records Retention

**EFFECTIVE DATE:** July 1, 2016

**DATE REVISED:**

**REPLACES:**

## PROCEDURE

### 1. PURPOSE

To provide the systematic review, retention and destruction of documents received or created in the transaction of New River Community and Technical College business, and is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate College operations by promoting efficiency and reducing unnecessary storage of documents. New River CTC retains and preserves vital records of its business and operations to preserve an historical record of the College, to ensure current and future operations, and to comply with its legal obligations.

### 2. SCOPE AND APPLICABILITY

This procedure applies to all records of the College and to all College faculty, staff and administrators.

### 3. DEFINITIONS

- A. *Active Records* - Records that are generally referred to at least once a month or that are needed to support the current business activity.
- B. *Disposition of Records* - The terminal treatment of records, either through destruction or 75 year storage, after the records have become obsolete or otherwise in accordance with these guidelines. Disposition will be by recycling, shredding or deleting, as outlined in this procedure.
- C. *Duplicate Records* – Copies of records existing in multiple locations. Disposition should be the same as original records.
- D. *Inactive Records* - Records that have not been needed for at least one year or for which the active period has passed.

**Unless these records (both active and inactive) have been defined as permanent or archival records they should be destroyed according to the time period shown**

**on the retention schedule. Inactive records should be securely stored until the end of the retention period.**

- D. *Litigation Hold* - A communication issued as the result of current or anticipated litigation, audit, government investigation or other similar matter that suspends the normal process regarding the retention and disposition of College records.
- E. *Permanent Records* - Also known as archival records, have historical, administrative, or research value to the College. Area administrators are responsible for ensuring that the College identifies these records and that they are stored and archived appropriately once they become inactive.
- F. *Record* - Anything containing information reflecting College educational and business transactions regardless of format (paper, digital, photographic, recordings, etc.). Typical records include official publications, fiscal data, incoming/outgoing correspondence including email, meeting minutes, reports, and student files.

**Not all records must be retained.** The list below describes items in a typical department that are not classified as records and therefore do not need to be categorized or maintained. These materials may be destroyed at any time if they are no longer needed. These items will not appear on a retention schedule:

- large quantities of duplicate materials and all duplicates of “official copies”
  - magazines and newspapers not published by the College
  - published reports produced by other entities
  - purchased data from other sources
  - catalogues, journals or other printed matter created by other entities used for informational purposes
  - notes or working papers once a project is complete, unless they provide more complete information than the final report
- G. *Records Administrator* – Position, identified by the President, responsible for the effective implementation of this College procedure.
  - H. *Records Custodians* – Individuals designated by administrators who have supervisory authority over a particular business practice, and, in that capacity, who have responsibility for ensuring effective implementation of these guidelines in their area of authority as set forth in the job description. See information on the responsibilities of Records Custodians in Section 5, part A.
  - I. *Retention Period* - Minimum required length of time the College is responsible for maintaining records.
  - J. *Retention Schedules* - An internal document describing categories of records, providing a length of time they should be kept and includes instructions for disposition. State or federal law may determine the period that certain records must be kept. The General Retention Schedule at the end of this document lists the most

common records at the College and provides a retention period along with any special instructions related to disposal. **Almost every division or department will have records requiring retention that are not on the General Retention Schedule. Records that are not on this schedule, or should be removed from the schedule, should be added or deleted on a case by case basis by the Records Custodian's notification to the supervisor.**

#### 4. Procedure

##### A. Overview

It is the procedure of New River CTC to ensure that its records are preserved to provide documentation of the College's history and to be retained for the periods of time necessary to satisfy the College's business and legal obligations. The records will be disposed in accordance with an established records retention and disposition schedule. Certain records are permanent records and may never be destroyed.

A Records Custodian will oversee the day-to-day transactions related to their department/division's record's related functions and manage the disposition of records at the conclusion of the designated retention period.

##### B. Email Retention

All College emails are property of the College and are subject to discovery in the event of litigation against the College or any of its employees or students. Consequently, the administration has the ability and the right to view the email of all members of the College community.

Copies of all New River CTC employee emails are retained in the College's electronic email archive for a period of seven years.

##### C. Litigation Holds

Where the College has actual notice of litigation or of a government investigation or audit, or has reason to believe that such events are likely to occur, it has the obligation to take steps to preserve documents that might be implicated in such litigation or investigation. In such event, the College will take steps to identify all paper and digitally maintained files that may contain documents relevant to the case, including emails, and will notify members of the College community to preserve such documents indefinitely. If a faculty, staff or administrator receives such a preservation notice, it does not necessarily mean that they are involved in the litigation or investigation. Rather, it means that the evidence that the College is required to preserve may be in the faculty or staff member's possession or control, and that the employee has an obligation to preserve such information effective immediately.

In the event of a litigation hold, all policies for the disposition of documents must

be suspended with respect to those matters that are the subject of the hold. Electronic information should be preserved in its original electronic form on the media on which it is stored. Electronic information should not be transferred from the media on which it is stored to a different media for the duration of the litigation hold **unless** such transfer is necessary to preserve the integrity of the information for the duration of the hold, and such transfers should be made only after consultation with the IT department to preserve the integrity of the electronic data. In addition, the faculty, staff and/or administrator that receives the notice shall similarly preserve any new information that is generated that may be relevant to the litigation or investigation by saving it in a segregated file. A faculty or staff member's failure to preserve documents after having received a preservation notice can have extremely serious consequences for the College. Accordingly, a failure to comply with a litigation hold may subject employees to discipline, up to and including termination.

D. Essential Functions

1. *Records Custodians*

Each supervisor in a particular division or department has the responsibility for designating in writing to the Records Administrator, a Records Custodian, ensuring that the Records Custodian understands and is following the records retention procedures. The supervisor is also required to sign off on either destruction of documents at the conclusion of their retention period or any transfer of records to storage.

The Records Custodian is expected to: understand the records created; follow these guidelines to make decisions on retention and disposition of records and provide guidance to others who are involved in preparing records for storage; be responsible for ensuring that everyone is aware of these guidelines and follows them; establish the level of confidentiality and security appropriate to specific types of records and help maintain and monitor confidentiality and security.

2. *Litigation Holds*

The Vice President for Administrative Services, Legal Counsel or designee is responsible for notifying all relevant members of the College community where a litigation hold is being implemented. He or she will, in consultation with the relevant members of the College community, determine the scope of the hold, will determine when the hold is no longer required, and will communicate the lifting of the hold on an as needed basis to members of the College community. Once the litigation hold has been lifted, the original retention period resumes.

E. Accessibility and Safekeeping of Records

1. Records must be easily retrievable for examination by authorized

individuals, including auditors. Access to electronic records is subject to College rules regarding information security. Records Custodians should work with the IT department to ensure that electronic documents are maintained in a format that preserves accessibility.

2. The Records Custodian is responsible for ensuring that active and inactive records are secured in a way to provide appropriate confidentiality and protection from unauthorized inspection, theft, and/or physical damage.

F. Disposition of Records

1. The Records Custodian is responsible for periodically determining which records have reached the end of their retention period and should therefore be destroyed or transferred to storage.
2. The Records Custodian is to complete the Records Retention Disposition form for submission to the Records Administrator of the College.
3. The Records Custodian's supervisor is required to sign off on the destruction of documents or transfer to storage.
4. The Records Administrator of the College is required to sign off on the Records Retention Disposition form and send it to the State Records Administrator for approval before any action is taken.
4. Non-confidential paper records may be placed in containers for recycling. Confidential paper records must be shredded or other arrangements must be made for the documents to be destroyed.
5. The Records Custodian should consult with the IT department regarding the destruction of electronic documents.

G. Records Destruction

Following the established retention schedule, records should be securely maintained for the period of retention either in the division or department where they were created or used. Records that have been identified as archival records must be permanently retained in a designated storage area.

Records that will not be listed on a retention schedule and therefore may be destroyed at any time include:

- material that is not considered a "record" (see definition of record);
- duplicates of an official copy which is stored and retained by another department/division, such as personnel records, financial and budget information, copies of information used in an employee search;
- records that have served their purpose and are no longer needed, such as drafts of reports; and,
- notes that have been turned into meeting minutes.

When there is doubt about whether a record may be destroyed, the Record

Custodian shall review the retention schedule or consult with the Record Custodian of the official copy of the record if one exists.

Destruction includes:

Recycling – generally appropriate for all non-confidential paper documents, including public documents of other organizations, magazines, annual reports, newsletters, announcements, and drafts of policies or other memoranda which are not confidential.

Shredding – using a shredder for all documents that should not be read by others after they are no longer needed or that contain personal, or confidential information. This is essential for any document containing personal information, information that is student protected information under FERPA, health related information, or financial information.

#### H. General Retention Schedule

This schedule will NOT include all records that should be on a schedule. The Records Custodian's supervisor should provide guidance regarding any federal or state rules when developing a retention schedule for records not mentioned here.

This schedule applies to all types of records, regardless of media or format, including documents, email, photographs, audiotapes, videotapes, CDs, and DVDs. Retention periods reflect minimum time periods. Records may be retained for longer periods of time at the discretion of the Record Administrator or as required by legal counsel. Do not destroy any records while they are subject to audit, investigation, or where investigation is probable. Physical storage requirements should be coordinated with the College Records Administrator.

### Internal Operations – NR1

	<b>General Type</b>	<b>Description</b>	<b>Retention Period</b>	<b>Responsible Office</b>	<b>Comments</b>
NR1-1	Board of Governors and Foundation Records	Meeting minutes, agenda, reports, proposals, and supporting documentation	75 years	President's Office and Institutional Advancement	Archive
NR1-2	IRS Determination Letter	IRS Determination Letter	75 years	Finance and Institutional Advancement	Archive
NR1-3	Grievance Files	Documentation of WV Public Employees grievances initiated by faculty and staff	75 years	Human Resources	Archive
NR1-4	Environmental Reports/OSHA Investigations	Investigation documentation or reports	75 years	Security	Archive
NR1-5	Insurance Policies	All policies in effect on behalf of the College, students, faculty and staff	Maintain as long as active plus 7 years	Finance and Institutional Advancement	Shred
NR1-6	External and Internal Audit Records – Final Report	Created by internal or external auditors to document their reviews, findings and recommendations	75 years	Various	Archive
NR1-7	External and Internal Audit Records – Work Papers	Created by internal or external auditors to document their reviews, findings and recommendations	3 years after creation of the audit records	Various	Shred
NR1-8	Real Property Leasing/Rental Records	Documentation of the lease and rental of property	7 years after expiration of the lease	Finance	Shred
NR1-9	Social Security Reports and Deposits	Periodic electronic reports of wages and social security contributions paid by the College to each employee	75 years	Finance	Archive
NR1-10	Unemployment Compensation Benefit Files and Reports	Documentation on eligibility of former employees for unemployment	5 years after termination of employee	Human Resources and Finance	Shred

		benefits and when these employees receive compensation charged against the College's account			
NR1-11	W-2 Listings	Documentation of salaries paid and taxes withheld for employees	75 years	Finance	Archive
NR1-12	Financial Aid Authorization/Allocation Letters	Awards of federal financial aid to the College	75 years	Financial Aid and Finance	Archive
NR1-13	College Email	An email account provided by the College (associated with a domain name owned and managed by the College) and assigned for the exclusive use of one individual	7 years	Technology Services	Delete
NR1-14	Time Sheets	Documentation of hours worked by employees	7 years	Finance	Shred
NR1-15	Bank Records	Transactions recorded in the College bank accounts and their reconciliation to the general ledger	7 years after end of fiscal year	Finance and Institutional Advancement	Shred
NR1-16	Employee Benefit Plan Files	Documentation on employee enrollment in benefit plans	75 years	Human Resources	Archive
NR1-17	Staff Appraisals, Promotion, Demotion and Discharge Documentation	Records documenting periodic evaluation, work performance and employment record of College staff	75 years	Human Resources	Archive
NR1-18	Enforcement - Campus Parking Tickets	Citations issued and the administrative enforcement of parking rules and regulations. Issued	3 years after final disposition	Security	Shred

		by College Security			
NR1-19	Enforcement - Campus Incident Reports	Documentation of incidents that occur on campus that violate College and/or local laws and regulations. They contain case number, arrest report, incident report, date, time, complainant, address and details of the report (IAW Clery Act)	75 years	Security	Archive

**Financial Records – NR2**

	<b>General Type</b>	<b>Description</b>	<b>Retention Period</b>	<b>Responsible Office</b>	<b>Comments</b>
NR2-1	General Financial Records	Budget worksheets, printouts, account books, ledger, purchase records, purchase orders, travel expense reports	7 years following the activity, or after legislative audit final report, whichever is later	Finance and Institutional Advancement	Shred  If the CFO's Office has a copy of the record, it may destroy the duplicate at the close of the budget reconciliation period
NR2-2	Warranty and Purchase Orders	Warranty information, purchase orders with contractual terms	7 years following the date of purchase or end of the warranty period or after legislative audit final report, whichever is later	Finance	Shred
NR2-3	Debt Financing	All documents related to debt financing	20 years following the period of debt repayment	Finance	Shred
NR2-4	Financial Documentation	Tuition and fee schedules, annual endowment fund	75 years	Finance and Institutional Advancement	Archive

		reports, annual financial statements, etc.			
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### Personnel Records – NR3

	<b>General Type</b>	<b>Description</b>	<b>Retention Period</b>	<b>Responsible Office</b>	<b>Comments</b>
NR3-1	Personnel Records	Documents related to employment, salary, benefits and performance evaluation	75 years	Human Resources	Archive
NR3-2	Faculty Professional Papers	Records related to faculty teaching, curriculum, committee work, or biographical materials	75 years	Academic Affairs	Archive
NR3-3	Faculty and Staff Search Records	Vacancy announcement, advertisements, applications, evaluations, references, correspondence, email and all documents or materials related to the search	3 years following the successful hire or close of the search without a hire	Human Resources	Shred

### General College Records – NR4

	<b>General Type</b>	<b>Description</b>	<b>Retention Period</b>	<b>Responsible Office</b>	<b>Comments</b>
NR4-1	College Policies and Procedures no longer in effect	Forms, procedure manuals, guides, handbooks, etc.	3 years  Retain current policy documents 75 years	Administrative Services and Institutional Advancement	Shred
NR4-2	Current College Policies and Procedures	Forms, procedure manuals, guides, handbooks, etc.	75 years	Administrative Services and Institutional Advancement	Archive
NR4-3	College-wide Committee Records	Minutes, reports and other materials generated by	10 years	Various	Shred The chair of each committee is responsible for

		College wide committees including charges, substantive correspondence and work product, and reports and documents about or related to the operation of College wide committees			keeping and organizing a record of the committee's work (minutes) and final recommendations and for transferring the records to the appointing administrator for College archives
NR4-4	President's and President's Cabinet Records	Records related to the functioning of President's Cabinet including calendars, memoranda, correspondence, speeches, memorabilia, photographs, web site information, etc.	75 years	President's Office	Archive

### Student Records – NR5

	General Type	Description	Retention Period	Responsible Office	Comments
NR5-1	Admission Files	Application records for admission to the College created for student applicants. The files may include acceptance letters, letters of recommendation, placement records, transcripts, etc.	75 years: Registered students. (if transferred to Registrar's Office)  Retain 1 year: Unregistered applicants	Enrollment Services and Registrar	Archive and/or Shred  Upon matriculation, admission files become Registrar files. However, some material such as letters of recommendation are removed
NR5-2	Registrar	Student grades, transcripts, evaluations, references, and personal information (addresses, phone numbers, etc.) and similar.	75 years	Registrar	Archive

NR5-3	Graduation Lists	Lists of individuals who have successfully completed the degree requirements and have graduated from the College	75 years	Registrar	Archive
NR5-4	Registration	Documentation of a student's course registration and changes to registration	1 year after the student submits the change	Registrar	Shred
NR5-5	Financial Aid	Records showing evidence of providing financial aid including financial aid applications, federal student aid forms, federal tax forms, award letters and confirmations, verification and interview records student's scholarships, and awards	7 years after graduation or separation	Financial Aid	Shred  (Federal regulation)  Before destroying records related to special awards or scholarships, evaluate for 75 year retention
NR5-6	Student Discipline	Judicial Records relating to proceedings and decisions resulting from violations of the Code of Student Conduct or other College policies	75 years  Suspensions and expulsions retained with the student's permanent file.	Student Services	Archive
NR5-7	Student Complaints – Non-Academic	Complaint, correspondence and the resolution maintained in student file.	75 years	Student Services	Archive
NR5-8	Student Government and Approved Student Organizations	Records related to clubs, organizations, and the Student Government Associations including constitutions and bylaws	75 years	Student Services	Archive

NR5-9	Career Services	Records related to an individual student such as resumes, letters of recommendation, etc.	18 months	Student Services	Delete  Career Services does not maintain paper copies of resumes, letters of recommendations, etc. Students may store records electronically in the College's career management system
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### Faculty Group Records – NR6

	General Type	Description	Retention Period	Responsible Office	Comments
NR6-1	General Office Records	Records related to the routine daily administration of the department including memoranda, references, meeting minutes, correspondence, and administration of programs	Until no longer administratively useful	Academic Department Chairs	Recycle  Before destruction, these records shall be evaluated for historical value
NR6-2	Course and Curriculum Records	Includes College catalogs/bulletins, course schedules, syllabi and course outlines	75 years	Registrar	Archive
NR6-3	Grade Books/Attendance	Grades books and attendance records kept by faculty members	75 years	Maintained by individual faculty until leaving institution.	Archive  Each faculty member will maintain the information for courses with official final grades being maintained in the Registrar's Office
NR6-4	Blackboard Course Files	Assessments, Assignments, Discussions, Grades, and Course Files, etc.	One full semester after the term it was created	Technology Services	Delete  Instructors must maintain their own

					offline copies as support staff will remove the information from Blackboard
NR6-5	Interactive Video Recordings	Video footage of IVN courses.	One full semester after the term it was created.	Technology Services	Delete

### Contract Records – NR7

	General Type	Description	Retention Period	Responsible Office	Comments
NR7-1	Construction and Renovation	Records related to construction and renovation of real property	75 years	Administrative Services	Archive
NR7-2	Negotiation Records, Executed Contracts	Records related to the process to enter into a contract or agreement, or understanding including background support materials, drafts, memos, letters, and related correspondence  The contract itself and all attachments and amendments to it	Finalized Agreements 7 years after contract expiration  All other records: Until administrative use ceases	Administrative Services, Finance, and Institutional Advancement	Shred
NR7-3	Capital Improvement Contract Records	Contractual agreements for capital improvements	75 years	Administrative Services, Finance, and Institutional Advancement	Archive
NR7-4	Grant and Contract Administration	Records related to the administration of federal and other grants, contracts, and agreements from negotiation to final performance such as	7 years after final payment or completion of all obligations under the grant or contract and all subsequent renewals, whichever is	Finance and Institutional Advancement	75 years and/or Shred  Records related to proposals that were not funded may be kept as long as administratively

		grants-in-aid, state contracted services, and vendor contracts. Includes negotiation documentation, memoranda of understanding, agreements, contracts, amendments, terms, budget proposals, and related correspondence	later 75 years: Summary records such as proposal, award letter and selected deliverables and reports		useful and then destroyed
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## **Addendum to General Retention Schedule**

### **I. Personnel Records**

The “official copy” of all records related to an employee are retained and maintained by the Human Resources Office, with one exception: The official copy of all records pertaining to faculty promotion, tenure and evaluation are retained and maintained by Academic Affairs.

Students who work in jobs that are NOT part of their educational experience are treated as all other employees for the purposes of record keeping. However, most students are paid to do jobs as a result of a financial aid award or as an integral part of their New River CTC education. In that case, their employment information is maintained as a student record with the unique obligations associated with student records.

### **II. Employment Screening Committee Records**

At the end of a search, the chair of a search committee will collect from each member of the committee all files, notes, applications, recommendations, and other material related to that search. This material will be reduced to one “official copy” of each record sent to Human Resources with the rest destroyed. All email and other electronic records should be printed and kept with other print documents and the e-copy deleted from the email system. All search committee members will delete all electronic files related to the search from their computers, email programs, and hard drives.

### **III. Records Related to Websites**

Because websites have replaced many publications, they are a significant archival record of the College and its operation. Web Masters and others creating web page content may capture copies of their website’s content as electronic files and archive them for permanent retention.

Interactive video recordings and Blackboard course files are maintained for one full semester beyond the term in which the information was recorded or created.

### **IV. Electronic File Storage and Back-Ups**

Redundancies exist at key points (power supplies, Internet connections, failovers, etc.) and near-continuous data protection is provided with built-in replication.

In the event of major data corruption or loss, the Vice President of Technology would confer with the President and/or key members of the President’s Cabinet to determine the best approach for timely and complete restoration of services.

**V. Records Administrator**

The following position has been designated at the Records Administrator for the College.

Special Projects Administrator

**VI. Records Custodians**

The Cabinet-level Administrator of the following departments/divisions will designate a Records Custodian in writing to the Records Administrator of the College.

- Academic Affairs
- Administrative Services
- Enrollment Services
- Facilities
- Finance
- Financial Aid
- Human Resources
- Institutional Advancement
- President's Office
- Registrar's Office
- Security
- Student Services
- Technology Services

**RELATED POLICIES AND/OR PROCEDURES:** New River CTC Procedure 24: Email as the Official Form of Communication; Chapter 5A. Department of Administration, Article 8. Public Records Management and Preservation Act;

**RESPONSIBLE OFFICES:** Chief Communications Officer/Special Projects Administrator, Cabinet

**Approved by:** \_\_\_\_\_