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| Category: 5000 BUSINESS | Policy Number: 5740 (Page 1 of 3) |
| Policy Title: Record Retention and Destruction | Effective Date: January 16, 2019 |

Snake River School District No. 52 establishes the following guidelines to provide administrative direction pertaining to the retention and/or disposal of district records in connection with the district's obligations under the Idaho Public Records Act, the Uniform Requirements, Cost Principles, and Audit Requirements for Federal Awards, and Education Department General Administrative Regulations (EDGAR).

DEFINITION

“Custodian” means the district employee(s) having personal custody and control of public records of the district, or authorized access thereto, including those employees who have been appointed to respond to requests for public records and other district information on a routine basis, and the designees of all such appointed custodians. For purposes of this policy, there are three (3) types of custodians:

- Official Custodian of Records. This is the person who is the official custodian for the entire district. The official custodian of the district is the superintendent or designee.
- Original Custodian. The originator of a paper or email message or the creator of an electronic record if that person is a district employee; otherwise it is the district employee to whom the message is addressed or to whom the record is sent. If the record is transferred, by agreement or policy, to another person for archival purposes, then that person becomes the legal custodian.
- Records Manager. The administrator responsible for responding to public records requests and coordinating record retention and destruction activities for the district, including coordination of electronic records retention and off-site document storage and disposal activities.

“Electronic Record” means a non-erasable, optical image where additions, deletions, or changes to the original document are not permitted by the technology. An electronic record, for purposes of this policy, accurately reflects the information set forth in the record at the time it was first generated in its final form and is accessible. Emails are electronic records. The original of an electronic record is the one saved on the hard-drive of the original custodian's computer or under that person's name on a server. A paper printout of an electronic record is a copy, not the original.

“Record” means recorded information, in any form, including data in computer systems, created or received and maintained by an organization or person in the transaction of business or the conduct of affairs and kept as evidence of such activity, and includes any writing relating to the conduct of the district's business prepared, owned, used or retained by the district regardless of physical characteristics. A record can exist in a number of formats, including various sizes of paper (original or photocopy), microfilm or any microform, electronic media, optical disk media, CD, Mylar, sepia, blue line, photograph, audio and video tape, punched cards, books, maps.

“Student Record” means any item of information (in any format, written, electronic, or other) that is directly related to an identifiable district student (current or former) and is maintained by the district or by a district employee in the performance of his or her duties. Student records are maintained in accordance with district policy 8540.

RECORD RETENTION

Records of the district will be retained in accordance with applicable state and federal law and the records retention schedule selected in this policy below. Where more than one law applies to retention of a particular record, the district will retain the record for longest period of time required.

FEDERAL PROGRAMS RECORDS

Records relating to federal program grants will be retained in accordance with EDGAR requirements and Idaho State Department of Education (SDE) guidance for a period of six (6) years. Such records include all records that fully show:

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| <ul style="list-style-type: none"> • The amount of funds under a grant or subgrant; • How the subgrantee uses those funds; • The total cost of each project; • The share of the total cost of each project provided from other sources; • Other records to facilitate an effective audit; • Other records to show compliance with federal program requirements; and • Significant project experiences and results. <p>DESTRUCTION OF RECORDS</p> <p>District records maintained on tangible mediums will be shredded or destroyed. Records maintained electronically will be destroyed as determined appropriate by the district's information technology department in coordination with the records manager. The records manager will maintain a log that documents the date of destruction of records.</p> <p>The district will immediately cease the destruction of all relevant records, even if destruction is authorized by an approved retention schedule, for the following reasons:</p> <ol style="list-style-type: none"> 1. If the district receives a public records request. Records relating to a public records request that is denied will then be retained for a period of at least 180 days from the date of mailing of the notice of denial or partial denial (the appeal period), until a decision has been rendered on the petition for review, or as otherwise statutorily provided, whichever is longer. 2. If the district believes that an investigation, claim, administrative review or hearing, or litigation is imminent. 3. If the district is notified that an investigation, claim, administrative review or hearing, or litigation has commenced. 4. If the district believes or has been notified that a state or federal audit or investigation is imminent or has commenced. <p>RETENTION SCHEDULE</p> <p>This district adopts the <i>State Board of Education Record Retention Schedule of the Idaho Records Management Guide</i>, revised 2008, (including the Administrative, Human Resource and Payroll Records Retention Schedules) and all subsequent amendments to the guide as approved by the Idaho State Board of Education, for the retention and disposal of district records (See 5740p).</p> <p>ELECTRONIC RECORDS</p> <p>Information stored on the district's systems and equipment, including email, email attachments, and Web postings are records of the district if they contain information that relates to the conduct of the district's business or its students, teachers, other employees or contractors. The district's email system is provided at district expense to assist employees with carrying out district business by allowing a means for internal communication and external communication with selected individuals and organizations. The email system is to be used for district-related purposes only.</p> <p>A district email account is not intended for permanent storage of email. It is each employee's responsibility to save and/or file email that he or she wishes to access, or that are district records and required to be retained by law. District electronic records shall be either: (1) saved to an electronic system other than the district email account; (2) electronically archived; or (3) printed on paper and filed as appropriate. Duplicates or personal/junk email should be deleted from the system immediately. These emails do not meet the definition of record and therefore should not be stored on district servers. All other emails will be retained according to the following:</p> <p>Regular Purging of Email</p> <p>The district may access and, to the extent required or allowed by law, disclose any email received, sent or stored in a district email account. The district may retain or dispose of an employee's email, whether an employee is currently or formerly employed by the district. Email account inboxes and outboxes may be purged as often as once a year by the district's information technology department. Email trash folders may be purged as often as every 180 days by the district information technology department or contractor.</p> <p style="text-align: center;">Snake River School District 52, 103 South 900 West, Blackfoot, Idaho 83221</p> | |

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LITIGATION HOLDS

When litigation against the district or its employees is filed or threatened, the law imposes a duty upon the district to preserve documents and records that pertain to the issues in the litigation. As soon as the district’s attorney becomes aware of pending or threatened litigation, a legal hold directive will be issued to the official custodian of records. Similar holds will be issued in the event of actual or likely government audits or investigations.

A legal hold directive overrides any records retention schedule that may otherwise have called for the transfer, disposal, or destruction of the relevant records, until the hold has been removed by the district’s attorney. Email and computer accounts of separated employees that have been placed on a legal hold will be maintained by the district until the hold is released. No employee who has been notified by the superintendent or the district’s attorney may alter or delete an electronic or paper document that falls within the scope of that hold. Violation of the hold may subject the individual to disciplinary action, up to and including dismissal.

EMPLOYEE DEPARTURES

The procedure outlined in Policy No. 7585, “Resignation/Termination Checkout Procedure” should be followed for an employee who has announced a decision to leave the district’s employ.

STUDENT RECORDS

Student records will be maintained in accordance with Policy No. 8540, Student Records.



LEGAL REFERENCE:

Idaho Code §33-506 – Organization and Government of Board of Trustees

Idaho Code §§74-101(3), (12), (13), (16) Public Records Act

Idaho Records Management Guide, available at:

http://history.idaho.gov/sites/default/files/uploads/Human_Resource_Records_Book_0.pdf

http://history.idaho.gov/sites/default/files/uploads/Payroll_Records_Book_0.pdf

http://history.idaho.gov/sites/default/files/uploads/Administrative_Records_Book.pdf

Education Department General Administrative Regulations (EDGAR) – 2 CFR Part 200

34 C.F.R. §§75.730 – 75.731

34 C.F.R. §§76.730 – 76.731

Federal Rules of Civil Procedure 26 and 34

ADOPTED: 12/17/2008

AMENDED: 01/16/2019

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| <p>Retention Code AC - After closed, terminated, completed, expired, settled, or last date of contact FE - Fiscal Year End (June 30th) LA - Life of Asset PM - Permanent US - Until Superseded</p> <p>In the event that district records do not correspond to any of the listed categories, the Superintendent will determine the period of retention for a particular record.</p> | |
| RECORDS DESCRIPTION | RETENTION PERIOD |
| Administration – Attendance, Annual Attendance Summaries by Building | PM |
| Administration – Attendance/Enrollment data | 3 yr |
| Administration – Ballots and oaths of election: until canvassed and recorded in the minutes. | Not less than 8 months following election |
| Administration – Ballots for Bond elections | a. Not less than 60 days after bonds have been delivered to purchaser. b. Not less than 8 months following bond election. |
| Administration – Contracts and Leases | AC + 6 yrs. |
| Administration – General Correspondence | 3 yr. |
| Administration - Donation/Gift Records | PM |
| Administration – Board Meetings – Official minutes and agenda of open meetings. | PM |
| Administration – Organization Charts: Any documentation that shows program accountability. | PM |
| Administration – Education Program Review Records | AC + 3 yrs |
| Administration – Official State Department Reports | PM |
| Administration – School Certification Reports | PM |
| Annual Reports | PM |
| Appeal and Review Records – Records may include but are not limited to narrative history or description of appeal; minutes and testimony; exhibits; reports and findings of fact; final orders, opinions, conclusions, or decision; audio recordings; hearing schedules and lists of participants; and related correspondence and documentation. | PM |
| Computer System Backups – Backups on tape, disk, CD, DVD, etc. (CAUTION: Records stored in this format can be subpoenaed during litigation.) | US or 1 yr. |
| Equipment History File – Equipment service agreements and manuals, includes maintenance agreements, installation and repair logs, warranties, etc. | LA + 3 yrs. |
| Facility Operations: Building or property appraisals - | 3 yrs. |
| Facility Operations: Building plans and specifications - Includes architectural and engineering drawings, etc. | PM For leased structures retain AC + 2 |

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| Facility Operations: Building construction contract, inspection records and project files – surety bonds, planning designs, construction records, all bids | LA |
| Facility Operations: Damage reports, Lost and stolen property reports | FE + 3 yrs. |
| Facility Operations: Property disposal records – Documenting disposal of inventoried property | US + 3 yrs |
| Facility Operations: Security Access Records – Documents the issuance of keys, identification cards, passes, passwords, etc. | AC + 2 yrs — AC=Until superseded, date expired or date of termination. |
| Facility Operations – Surplus property sales reports, Vehicle operation logs, | 1 yr. |
| Fiscal – Appropriation Requests – includes any supporting documentation | FE + 3 yrs. |
| Fiscal - Final Audit Reports | PM |
| Fiscal - Bank Statements, cancelled checks, stubs/warrants/drafts | FE + 3 yrs. |
| Fiscal - Capital Asset Records | LA + 3 yrs. |
| Fiscal - Cash records, deposit slips, receipts log | FE + 3 yrs. |
| Fiscal - Deeds and easements: proof of ownership, right-of-way on property | PM |
| Fiscal - Detail chart of accounts: One for all accounts in use for fiscal year | FE + 3 yrs. |
| Fiscal - Expenditure Journal or register; vouchers, Travel, payroll, etc. | FE + 3 yrs |
| Fiscal - External Reports - Special purpose, i.e. federal financial reports, salary reports, etc. | FE + 3 yrs |
| Fiscal - Federal Tax Records - Includes FICA records | AC + 4 yrs — AC= Tax due date, date the claim is filed, or date tax is paid whichever is later. |
| Fiscal - Federal Funding Records - Title I, Chapter 2, Title VI-B | FE + 5 yrs - or until all pending audits or reviews are completed. |
| Fiscal - Federal – USDA | FE + 3 yrs |
| Fiscal - General ledgers, general journal vouchers | FE + 3 yrs |
| Fiscal – Grants - State and Federal | AC + 3 yrs — AC= End of grant or satisfaction of all uniform administrative requirements for the grant. (Caution: retention requirements may vary depending on the specific federal funding agency) |
| Fiscal - Insurance claim files | AC + 3 yrs - AC= Resolution of claim |

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| Fiscal - Long-term liability records - Bonds, etc. | AC + 4 yrs - AC= retirement of debt |
| Fiscal - Receipts Journal or Register; Reconciliations; Reimbursement Activities - Requests and approval for reimbursed expenses, travel, training | FE + 3 yrs |
| Fiscal - Returned Checks – Uncollectable warrants or drafts | AC + 3 yrs AC= After deemed collectible |
| Fiscal – Signature authorizations - Records authorizing an employee to initiate financial transactions for agency. Also, spending authority limits. | US + FE + 3 yrs |
| Legal – Litigation Files | PM (Caution: may contain attorney-client privileged information) |
| Legal - Open Records Requests - documentation relating to approved or denied requests for records under Idaho Public Records Law | PM |
| Legal - Opinions and Advice – Does not include legal opinions or advice rendered on a matter in litigation or with regard to pending litigation. | PM (Caution: May contain attorney-client privileged information) |
| Personnel - Accumulated Leave Adjustment Request | FE + 3 yrs |
| Personnel - Applications for Employment - Hired - | AC + 5 yr - AC= Termination of Emp |
| Personnel - Application for Employment - Not Hired | AC + 2 yr - AC= Date Position Filled |
| Personnel - Benefit Plans | US + 1 yr |
| Personnel - Complaint Records - Complaints received and records documenting their resolution | FE + 3 yrs (Caution: If a complaint becomes the subject of litigation, it is subject to a longer retention period.) |
| Personnel - Corrective Action - those actions which do not affect pay, status or tenure and are imposed to correct or improve job performance Disciplinary Action Documentation - those actions that affect pay or status. They include demotion, dismissal, etc. | AC + 3 yrs - AC= Termination of corrective action. (Caution: If these records support personnel disciplinary action, AC = termination of employment.) |
| Personnel - Employee statements (Affidavits) - for insurance, personnel or other uses for which Administration has sought such statements | AC + 3 yrs - AC= Termination of employment |
| Personnel - Employee Benefits - documents relating to selection of benefits other than insurance | US |
| Personnel - Employee deduction authorizations - relating to all pay deductions | AC + 3 yrs. - AC= Termination of employment or after amendment, expiration or termination of authorization, whichever is sooner. |
| Personnel - Employee Earning Records | 4 yrs |
| Personnel - Employee Insurance Records - | US |

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| Personnel - Employment Contracts | Original date of hire + 50 yrs |
| Personnel - Employment Eligibility - Documents verifying Federal INS I-9 | AC+ 4 yrs-AC= Term. of Employmt |
| Personnel - Grievance Records - review of employee grievances against policies and working conditions, etc. Includes record of action taken. | AC + 6 yrs - AC= final decision |
| Personnel - Hiring Process - Criminal History Checks | AC + 1 yr. AC= After hired |
| Personnel - Job Procedure/Job Description | US + 3 yrs |
| Personnel - Leave Status Report - cumulative report for each pay cycle showing leave status | FE + 3 yrs |
| Personnel - Liability Release Forms - statements of employees, patrons, etc. who have released the district from liability | PM |
| Personnel - License and Driving Records check | US |
| Personnel - Payroll - Direct Deposit Authorization | US |
| Personnel - Performance Appraisal | 2 yrs |
| Personnel - PERSI Enrollment File | 6 yrs from filing date |
| Personnel - PERSI record of hours worked - Irregular help, half-time + | Date hired + 50 yrs |
| Personnel - Personnel Information - documents that officially change pay, titles, benefits, etc. | 2 yrs |
| Personnel - Policy and Procedures Manual | PM |
| Personnel - Sick Leave Pool documentation - requests, approvals, number of hours transferred in and out, etc. | FE + 3 yr |
| Personnel - Time card and time sheet | 3 yrs |
| Personnel - Time Off and/or Sick Leave Requests | FE + 3 yrs |
| Personnel - Training and Educational Achievement Record - Individual records documenting training, testing or continued education | AC + 3 yr AC= Termination of Employment |
| Personnel - Unemployment Claim Record & Unemployment Compensation | AC + 3 yrs |
| Personnel - W-2 and W-4 forms | 5 yrs from date of termination |
| Personnel - Worker's Compensation Policies | AC + 10 yrs (AC= expiration of policy) |
| Procurement - Performance Bond - bonds posted by individuals or entities under contract with District | PM |
| Procurement - Purchasing Log - Log providing record of purchase orders | FE + 3 yrs |

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| Procurement - Bid documentation - includes bid requisition/authorizations, invitation to bid, bid specifications and evaluations | FE + 3 yrs (Caution: If formal written contract is the result of bid, the bid and its supporting documentation must be retained for same period as contract.) |
| Safety - Accident Reports | 8 yrs (For minors, 8 yrs after minor reaches age of 18) |
| Safety - Disaster Preparedness & Recovery Plans - Evacuation Plans | PM |
| Safety - Fire Orders - issued by fire marshal to correct deficiencies in compliance with fire code | AC + 3 yrs - AC= deficiency corrected |
| Safety - Hazardous Materials Disposal Records - Material safety data sheets must be kept for those chemicals currently in use that are affected by the Hazard Communication Standard in accordance with 29 CFR §1910.1200(g) | PM |
| Safety - Incident Reports - Reports concerning incidents which, upon investigation, were of non-criminal nature | 3 yrs (or 30 yr*) *Exposure records require 30 year retention |
| Safety - Inspection Records - Fire, safety, and other inspection records of facilities and equipment | AC + 3 yrs - AC= Date of correction of deficiency, if found |
| Safety - Material Data Safety Sheets | 30 yrs after end of use of substance |
| Safety - Workplace Chemical Lists | 30 yrs |
| Students - Education Records - Student's name, birth date, last address, dates of attendance, graduation date and grades earned | PM |
| Students - Special Education Records - education records, including eligibility documentation and IEPs, Medicaid claims/reimbursements | FE + 5 yrs |
| Vehicle Inspection, Repair and Maintenance Records | LA + 1 yr |
| Vehicle Title and Registration | 1 yr |
| Volunteer Records - records may include recruitment & selection record, volunteer personnel and intern personnel information, intern agreements, volunteer and intern time records, emergency notification forms, insurance documentation and correspondence | AC + 3 yrs. AC= end of term of volunteer or intern |
| Website/Web Pages - Internet/Intranet - system development documentation for initial setup; subsequent changes and content of pages | PM |