



## **POLICY 352 -- ELECTRONIC DOCUMENT RETENTION**

### **I. GENERAL POLICY STATEMENT**

The electronic records, including documents and transmissions and communications of the West Jefferson Hills School District, are important assets. District electronic records include essentially all records produced by all employees pertaining to district business. An electronic record may be as obvious as a memorandum, an e-mail, student information file or report, or something not as obvious, such as a computerized desk calendar, an appointment book or an expense record, an instant message, graphs and charts, photographs and images, sound recordings, and spreadsheets and data compilations that can be classified as important district business.

Rule 34 of the Federal Rules of Civil Procedures requires the school district to maintain certain types of electronic records, usually for a specified period of time. Failure to retain these records for those minimum periods could subject violator and the school district to penalties and fines; cause the loss of rights; obstruct justice; spoil potential evidence in a lawsuit; place the violator or school district in contempt of court; or seriously disadvantage the violator or school district in litigation.

The West Jefferson Hills School District expects all employees to fully comply with any electronically published records retention or destruction policies and schedules defined in this policy, provided that all employees should note the following general exception to any stated destruction schedule: If you believe, or the school district informs you, that certain school district records are relevant to litigation or potential litigation (i.e., a dispute that could result in litigation), then you must preserve those records until the District counsel determines the records are no longer needed. That exception supersedes any previously or subsequently established destruction schedule for those records. If you believe that exception may apply, or have any question regarding the possible applicability of that exception, please contact the District counsel.

### **II. MANAGEMENT**

To ensure compliance with this Electronic Records Retention Policy (ERRP), the District's ERRP Manager is responsible for the following oversight functions:

- Implementing the ERRP
- Ensuring that employees are properly educated, understand, and follow the ERRP's purpose
- Ensuring proper storage of electronic documents on network servers and e-mails
- Periodically following-up with counsel to ensure proper retention periods are in place
- Suspending the destruction of electronic documents upon foreseeable litigation
- Keeping district administrators and employees apprised of changes in relation to the ERRP

The District's ERRP Manager shall annually review the ERRP, modify it accordingly, and inform and educate all district employees on any such changes. All questions relating to document retention and/or destruction should be directly addressed to the district's ERRP Manager.

### **III. RECORDS RETENTION**

All e-mails received or transmitted through district email server will be retained for one (1) year and discarded thereafter. All employee-generated electronic documents stored on network servers which are deleted will be archived for one (1) year and discarded thereafter. It is the responsibility of the employee to place a copy of all documents dealing with district business on the network servers in his or her password-protected home drive to allow for archiving. Confidential documents may be stored via other methods such as removable media, flash drives, disks, etc. It is the responsibility of the employee to keep these records safe and available for inspection as necessary.

#### **IV. ACCESS**

Both e-mail and archived files mentioned in Section III can be accessed only with the written permission from either the Superintendent or the Assistant to the Superintendent. Requests for accessing this information must be made in writing. Only the Technology Director may retrieve the records pending inspection for the requestor once proper permission is given.

#### **V. CESSATION OF RECORD DESTRUCTION/DELETION**

If a lawsuit is filed or imminent, or a legal document request has been made upon the district, ALL RECORD DESTRUCTION MUST CEASE IMMEDIATELY despite the safe-to-delete period outlined in Section III. The District's ERRP Manager may suspend this ERRP to require that documents relating to the lawsuit or potential legal issue(s) be retained and organized. A critical understanding of this section is imperative. Should you fail to follow this protocol, you and/or the District may be subject to fines and penalties, among other sanctions.

#### **VI. ACKNOWLEDGEMENT**

I have read and understand the purpose of this ERRP. I understand that strict adherence to this ERRP is a condition of my employment with the District. If I do not understand something regarding this ERRP, I will contact the District's ERRP Manager immediately for clarification. I agree to abide by the District's ERRP.

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Employee's Signature/Date

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Employee's Name (print)

Approved: 08/28/07

08/29/07