

# Records and Retention Policy

## Policy:

The purpose of this policy is to establish a systematic process that will effectively maintain the College records management program, applicable to both electronic and hardcopy formats.

All records created by College officers or employees in the course of their duties on behalf of River Parish Community College are retained for as long as they are required to meet the legal, administrative and operational requirements of the College, after which time they are either destroyed or transferred to the LCTCS Archives. The final disposition (either destruction or transfer to the Archives) of records is carried out according to approved records schedules and LCTCS policies. See below for further requirements relating to litigation holds and electronic mail.

## Procedures

Refer to website:

<http://www.sos.la.gov/HistoricalResources/ManagingRecords/GetForms/Pages/default.aspx>

## Records Retention Schedule

### [Form SS ARC 932 "Records Retention Schedule"](#)

The State Retention Schedule, Form SS ARC 932, a standardized form created by State Archives, provides a format for each State agency to identify and classify its records by type. State Archives defines record types as "records series." As a College is a very diverse agency, records series will differ greatly from one department to another. It is important to note that State Archives does not consider email a record series. Email should be incorporated within other record series.

As department/unit heads would have the best knowledge in identifying their records series, they are expected to complete an accurate form SS ARC 932 for their departments/units in accordance with form instructions.

Once department/unit heads have completed their respective SS ARC 932 forms for their individual departments/units, they should submit the forms to the **College's Records Retention Officer**. The Records Retention Officer will accumulate the SS ARC 932 forms and submit them to State Archives for approval. Once the approved SS ARC 932 forms are received from State Archives, the Records Retention Officer will provide copies to department/unit heads for their records.

## **Amended Retention Schedule**

### [Form SS ARC 932 "Records Retention Schedule"](#)

1. Department/unit heads should review their current Retention Schedules at least once a year, and the schedules should be amended when necessary, such as when additional series are discovered or when series no longer apply.
2. Departments/units should submit their amended schedules to the Records Retention Officer, who will forward them to State Archives for approval. Once received, the College Records Officer will send a copy of the approved schedules to departments for their records.

## **Disposal of Records**

### [Form SS ARC 930 "Request for Authority to Dispose of Records"](#)

State Records Management Policies and Practices, LAC 4: XVII, Chapter 9, contains specific provisions relating to record disposal. Departments/units are advised to review these provisions prior to disposing records. Departments/units should be aware that, even though a record might not be listed on their current Record Retention Schedule, Chapter 9 of the Records Management Policies and Practices still applies. Also, if a record is considered to be either confidential or sensitive, the record should be disposed of in a manner that will maintain confidentiality.

General Procedures for completing SS ARC 930:

1. Complete College/departmental/unit information on the SS ARC 930 form as required.
2. Select the series to be disposed from the Records Retention Schedule, SS ARC 932 and transcribe the relevant information to SS ARC 930, including series titles, item numbers, inclusive dates, etc.
3. The completed SS ARC 930 form should then be forwarded to the Records Retention Officer who will forward the document to State Archives for approval. Once the approved SS ARC 930 is received by the Records Retention Officer, a copy will be sent to the department/unit for its records and its use.
4. Once a department/unit head receives an approved SS ARC 930 from the Records Retention Officer, the department/unit may dispose of the record. Departments/units must maintain a Certificate of Destruction (SS AR 933) or by using an alternate method described in the State Records Management Policies and Practices, LAC 4: XVII, Chapter 9, Section 913, for the records they dispose.

## **Certificate of Destruction**

### [Form SS ARC 933 "Certificate of Destruction Form"](#)

1. After disposal of records—discarding, shredding, burning, or archiving—complete the “Certificate of Destruction” and send a signed copy to the Records Retention Officer.
2. File a copy in your **Records Management notebook** for future reference.

## **Definition**

- **AY** - Academic Year (September through May)
- **FY** - Fiscal Year (July through June)
- **CY** - Calendar Year
- **ACT** - Active
- **Archives** - College Archives
- **Series** - A group of related or similar records, regardless of medium, which may be filed together as a unit, used in a similar manner, and typically are evaluated as a unit for determining retention periods. (i.e.) requisitions, appointment forms, invoices, correspondence, payroll records, minutes, etc.

## **Louisiana State Archives Policy Electronic Mail (E-mail) Retention**

### **Purpose:**

The purpose of this policy is to ensure that electronic mail is maintained in accordance with approved records retention policies, accepted record keeping practices and laws as required by LA.R.S. Title 44.

### **Policy:**

Electronic Mail (E-mail) is not a record series for retention scheduling purposes. Rather, the retention of E-mail must be based on content, not on media type, artificial duration (i.e. 90 days) or on storage limitations. E-mail should be retained for the same duration as other records of similar content included in a given record series on an approved retention schedule.

### **Scope:**

This policy applies to all Louisiana public bodies as defined in LA. R.S. 44:1. This policy does not apply to the transitory E-mail records (those E-mails having limited or no administrative

value to the public body and not essential to the fulfillment of statutory obligations or to the documentation of the public body) generated or received by a public body.

Transitory information includes the following: unsolicited and junk E-mails not related to agency work, Listserv and other E-mail broadcast lists that require subscription (including newspapers), reminders for meetings and events, and personal non-work related E-mails received by employees.

There is no retention requirement for transitory messages. Public officials and employees receiving such communications may delete them immediately without obtaining approval from the State Archives.

### **Responsibilities:**

All public bodies that fall under the scope of this policy must maintain their E-mail in a manner that complies with that public body's approved retention schedule and the records management practices already established for other media (paper, film) as required by law.

If a record series cannot be identified, a record series should be developed and included on the public body's approved retention schedule. Until the series is scheduled the E-mail should be maintained for at least three years.

All public bodies should communicate this policy to their employees and should take the steps necessary to ensure employee compliance with this policy.

## **Litigation Hold Requirements**

There are circumstances when College records are involved in litigation, or can be reasonably anticipated to relate to foreseeable actions, and these records must be preserved until the resolution of the litigation. A litigation hold requires the retention of relevant paper or electronic records for an indefinite period of time as a result of pending litigation. Any and all records that might provide insight into the litigation must be maintained until the completion of the issue.

Severe and potentially costly penalties under Federal law for not retaining such documents exist, and accordingly, special care should be taken to preserve records that may be involved in State or Federal investigations or litigation.

The Executive Assistant to the President and Title IX & Compliance Officer is designated as the Litigation Hold Officer (LHO) who shall be responsible for coordinating with RPCC departments/units that become involved in Federal or State investigations or litigation. As Litigation Hold Officer, the Executive Assistant to the President and Title IX & Compliance Officer will also coordinate these matters with the University of Louisiana System staff.

### **Litigation Notification Process**

Any College personnel who become aware of litigation, threat of litigation, other legal action or investigation by any administrative, civil, or criminal authority shall immediately notify the Litigation Hold Officer. College personnel who receive official notice of pending or potential claims or action against the College must submit such notice to the Litigation Hold Officer within two business days of receipt. The Litigation Hold Officer shall notify the General Counsel for the LCTCS within three business days of the LHO's receipt of notice from College personnel.

## **Litigation Record Hold Process**

The College has a legal obligation to preserve evidence and records, including electronically stored information (ESI), that may be relevant to pending or potential legal actions, such as lawsuits, government audits, and administrative hearings. Federal law requires the institution to take action in the form of a litigation hold to preserve all paper and ESI information that may be relevant to the claim. The following procedures shall be followed:

1. The Litigation Hold Officer will issue an official Litigation Hold Notice regarding the matter to the appropriate individuals, including the institution's Computing Center, within three (3) business days of receipt of notification of pending litigation.
2. The notice shall provide the categories of electronic and paper documents, including ESI, that must be retained and preserved in their original format.
3. All employees who receive a litigation hold notice must acknowledge receipt, understanding, and compliance with the notice by returning a signed copy of the notice to the Litigation Hold Officer.
4. All employees who receive the litigation hold notice must compile paper and electronic documents and data as instructed in the notice letter, and in addition, retention shall extend to any new electronic information that may be relevant to the subject of the notice after the hold has been put into place.
5. It shall be the responsibility of the Litigation Hold Officer to retain all records responsive to the notice until receipt of written notification that the litigation hold has been removed. Electronic records must be retained in the original format (saved to a disk/CD and/or saved in a secure folder on the system service that is not subject to automatic or unannounced deletions).
6. If affected personnel use home computers for institutional-related business (including email on institutional accounts) they must preserve the data on those computers.
7. Such retention efforts could actually predate any official notification. Records relating to any complaints, grievances or controversies that could potentially rise to the level of a lawsuit shall be retained.

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Additional information may be found on the State Archives' Records Management web page at:  
<http://www.sos.la.gov/HistoricalResources/ManagingRecords/GetForms/Pages/default.aspx>