

RECORDS MANAGEMENT

Scope

The Colorado Springs School District 11 Board of Education (the Board) directs the Superintendent or designee to develop a records management program that manages the Colorado Springs School District 11 (the District) records efficiently, in compliance with state and federal laws. This program shall include records retention schedules to include time periods for maintaining, converting, and destroying records. These schedules can be found on the District's website by going to www.d11.org/departments/ department lists/ records and transcripts/ records retention schedules for district records. This policy and the District's records retention schedules are not intended to create a contractual obligation or to create contract or property rights or rights to due process, benefiting any employee or other person. This policy, and any retention schedules and regulations implementing it, can be modified by the District at any time at its discretion.

Introduction

The District's records are created in the course of the operations and business processes of the school system. Records created or collected in the course of the District's business are the property of the District

The information contained in the District's records may be useful to other organizations or individuals because the records were created for a specific purpose at a given point in time. The District does not modify record content to satisfy the requirements of other entities that are not part of the educational process, except that the District does seek to maintain records to satisfy specific state and federal recordkeeping requirements. Certain District records are open to the public, while other records are only available to specific persons, in accordance with federal and state law, including the Colorado Open Records Act, the Student Data Transparency and Security Act, and the Family Educational Rights and Privacy Act.

Definitions:

Records can be created when an office either generates or receives information that relates to the District's functions, policies, decisions, procedures, or operations or that contains valuable District data. A record can be in any form, including, but not limited to:

- Paper (letters, memos, forms, photographs)
- Film (microfilm, microfiche and photographic negatives)
- Electronic or digital (word processing, spreadsheets, text, database, image files and email)
- Sound recordings – electronic or digital (tape or disc)
- Video recordings – electronic or digital (tape or disc)

District records do not include documents received by the District that do not contain District information such as:

Reference Materials: These are convenience copies that are made of records created or received and publications that do not ordinarily document the District's business or activities such as magazines, catalogues, trade journals, federal or state policies or regulations, books, pamphlets

and so forth. These are not records and are not, therefore, subject to retention and disposition schedules.

Blank Forms: Until they are filled in, blank forms are supplies, not records.

Duplicate and Draft copies are not ordinarily treated as District records. They are not generally retained, except for ease of access and reference, and when they are the subject of a special instruction or directive, such as a litigation hold.

Electronic Communication is an electronic message that is transmitted between two or more electronic devices whether or not the message is converted to hard copy format after receipt, and whether or not the message is viewed upon transmission or stored for later retrieval. Depending on its nature and content, electronic communications sent or received by the Board, or the District's employees or agents, may be District records and may also be considered public records subject to disclosure or inspection under the Colorado Open Records Act. The format for retention of an electronic communication may depend on the nature and content of the communication, specific administrative instructions or directives (if any), and applicable legal requirements. Board members, employees and agents of the District should review their electronic communications for deletion on a routine basis (no less than every 90 days) unless otherwise required to be retained by a District records retention schedule (www.d11.org/departments/departments_lists/records_and_transcripts/records_retention_schedules_for_district_records) administrative instructions or directives, or applicable state or federal law. Reviewing electronic communications for deletion helps keep the District's email system from experiencing a potential overload.

The District uses software that backs up emails for 7 years (on a rolling forward basis). Email messages will therefore be accessible for 7 years after creation and/or receipt. However, it is the content of the communication that governs how long an electronic communication is to be kept. If you have sent or received an email that carries a retention period beyond 7 years, the sender and/or recipient shall save it according to the applicable retention schedule (www.d11.org/departments/departments_lists/records_and_transcripts/records_retention_schedules_for_district_records), or any other applicable situation (i.e. a litigation hold).

If the electronic communication contains information that falls under a retention schedule, but it is considered a "mass" email (sent to 5 or more recipients), and/or the content is not used by the recipient in the performance of his or her job duties, then the retention obligation is only applicable to the sender and those recipients where the electronic communication content is pertinent to the performance of their job duties.

All District electronic communication systems are owned by the District and are intended for the purpose of conducting official District business only. District electronic communication systems are not intended for personal use by District employees. Employees shall have no expectation of privacy when using District electronic communication systems.

To ensure compliance with applicable law and District policy, the District retains the right to review, store and disclose all information sent over the District electronic communication systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation and to access District information in the employee's absence.

Form refers to the shape, size, style and general makeup of a particular record.

Office of record is the department, office or school which has primary responsibility for the record and for fulfilling the disposition requirements.

Permanent records are records appraised as having sufficient historical, legal, or other value to warrant continued preservation by the District without a limited retention period.

Retention period is the length of time that a record must be kept and after which the record is typically destroyed in accordance with the District's document destruction procedures.

Retention schedule is a document that provides the minimum retention periods and final disposition of District records. The records retention schedules are kept on the District's Records Management Center's home page ([www.d11.org/departments/department lists/ records and transcripts/ records retention schedules for district records](http://www.d11.org/departments/department%20lists/records%20and%20transcripts/records%20retention%20schedules%20for%20district%20records)). Department heads are required to review their applicable schedules no less than every three years.

Litigation hold is a directive issued by the Superintendent or his/her designee or the Records Management Center providing for the preservation and suspension of the destruction of specific District records and/or other documents. A litigation hold may be issued for any of various reasons, such as a court order, subpoena, or other legal requirement, or because of the record's relevance to imminent or ongoing litigation.

Keeping Records

In its recordkeeping practices, the District seeks to comply with applicable requirements of the State Archives Office, as well as its duties under other state and federal laws. Retention schedules shall identify which office is responsible for keeping a record, how long it will be kept and any special requirements pertaining to the record(s). Compliance with the time periods for maintaining and destroying records is expected. However, the District Superintendent or his/her designee can authorize an exception to the applicable schedule, including a suspension of records destruction. When a record is subject to suspension of records destruction, a notification will be provided by the District Superintendent or his/her designee, or the Records Management Center, with instructions regarding how to store and maintain the record(s). Employees, Board members and agents shall make a good faith effort to comply with this policy and records retention schedules.

Suspension of records destruction by the District may include, but is not limited to, the following:

1. There is a current request for copies of the records or access to the originals.
2. The District determines that the records are related to ongoing litigation or a government investigation or audit, or that there is reason to believe the records are relevant to expected litigation, investigation or audit. In these circumstances, the District may issue a litigation hold or other instruction requiring preservation of the records, in their original format, and suspension of document destruction.
3. The records have been found relevant to a current project or program and retention has been approved by the Records Management Center or the applicable department head.

Records Storage

Pursuant to the retention schedule, typically the Office of Record stores the official record copy until destruction or transfer to the Records Management Center. The Records Management Center tracks

records that are stored within the Records Management Center and provides access to the records upon request. The Records Management Center will notify the Office of Record when the retention period of records stored within the Records Management Center is due to expire; allowing for the suspension of the destruction process if warranted.

Destruction of Record Copies

Records are destroyed when they reach the end of their lifetime as defined on the records retention schedule. Like duplicate copies, it is important to destroy the record copy in the normal course of business when the proper time arrives. The District's Records Management Center will issue guidelines concerning acceptable methods for destruction of records, including records containing sensitive or confidential information. Each Office of Record is expected to coordinate destruction of records with the District's Records Management Center guidelines. Converting a record to a different form, that is, scanning or microfilming does not satisfy the requirement to destroy a record.

Copies

Requests for review and/or copies shall be submitted to the Records Management Center. All written requests are to be kept on file. The cost of copying will be borne by the person requesting such copy.

Adopted June 10, 2015
Reviewed March 14, 2018

LEGAL REFS: 20 U.S.C. § 1232g
 C.R.S. § 22-16-101, et seq.
 C.R.S. § 24-72-201, et seq.
 C.R.S. § 24-80-101, et seq.

CROSS REFS.: EHC, Technology Resources and Internet Safety Responsible Use Policy
 EHC-E-2, Appropriate Use of Technology Resources and Internet Safety
 Responsible Use by Staff
 JRA/JRC – Student Records/Release of Information on Students
 KDB – Public Right Know/Freedom of Information
 District 11 Records Retention Schedules ([www.d11.org/ departments/ department lists/ records and transcripts/ records retention schedules for district records](http://www.d11.org/departments/department%20lists/records%20and%20transcripts/records%20retention%20schedules%20for%20district%20records))