

Records Retention

Working Policy

POLICY:

Utica University is committed to meeting its administrative, fiscal, legal, and historical obligations through the systematic and consistent management of all records, regardless of medium or format, that have been created and/or maintained by employees of Utica University in the course of the University's academic and administrative business functions.

The effective management of the University's records will:

- meet legal standards for protection, storage, accessibility, and disposition;
- protect the privacy of students, faculty, and staff as required by law;
- ensure optimal and efficient usage of space and other resources;
- promote a culture of clarity and transparency;
- contribute to the documentation of the University's historical records; and
- support the effective governance and management of the University.

SCOPE:

This policy applies to University records and information resources in all formats, including but not limited to paper records, electronic records, and information technology (IT) and other administrative system data. This policy and the procedures associated with it apply to employees responsible for the maintenance of University records, vendors of Utica University, or any other persons with access to University records.

REASON FOR POLICY:

Utica University has a legal obligation to retain certain written and electronic records for specified periods of time, known as retention periods. These records must be appropriately preserved during their retention period and properly disposed of at the end of their retention period.

This policy is designed to ensure compliance with applicable federal and state laws and regulations and industry best practices.

DEFINITIONS:

Record: Information reflecting University academic, business, and related activities and transactions. Records may exist in any format (paper, electronic, information management or IT system (i.e. Banner), data, photographic, recordings, etc.). Records are created, received, used, and/or maintained in the course of typical University business operations and may hold operational, legal, fiscal, vital, and/or historical value.

Confidential: Any information that would result in damage to the University, organization, environment, business partners, students, employees, alumni, or other third parties should that information be disclosed.

Critical/Vital Records: Records determined to contain information essential for the operational continuity of Utica University following a catastrophic event. Department directors and supervisors will work with senior leadership staff and administration at Utica University to identify vital records and to develop procedures to ensure their accessibility after such an event.

Permanent/Archival Records: Records that are determined to be of historical, administrative, and/or research value to the University and that the University maintains indefinitely. The University's archivist is responsible for the identification and transfer of these records, provides for their secure long-term storage, and ensures their accessibility in accordance with established archives policies.

Active Records: Records that are referred to regularly and/or are needed to support current or ongoing business activities of a department or office. Unless these records have been defined as permanent or archival, they should be destroyed in accordance with the University's [Record Retention Schedule](#). Department directors and/or supervisors will ensure the proper handling of these records from storage through destruction.

Inactive Records: Records that have not been referenced for at least one year or for which the designated active period has passed. Unless these records have been defined as permanent or archival, they must be destroyed in accordance with the [Record Retention Schedule](#). If needed, inactive records may be placed in storage with the University Archives until the end of their defined retention period. Department directors and/or supervisors will ensure the proper handling of these records, including the placement of records in storage with the University Archives and removal at the end of their defined retention period.

Official Copy: The single official copy of a document maintained by an administrative unit. The official copy is usually, but not always, the original, and may be held by either the creating office or another office of record. Record copies are identified in the [Record Retention Schedule](#), and these materials must be maintained in accordance with the applicable schedule.

Unofficial Copies: Duplicate copies of an official record created for ease of access and use. Also called “convenience copies” or “working copies,” these materials may be destroyed when no longer needed by the office that holds them.

Non-Records: Informational materials possessing a solely operational value for the office which holds them. These materials should not be maintained by that office after the active use of them has ceased. Such items may be destroyed at any time when no longer needed by the office that holds them. Examples include:

- all duplicate/convenience copies of “Official Records”
- information (whether produced by Utica University or not) used for reference purposes only
- notes or working drafts of a completed project (unless they provide more complete information than the final report)

Retention Period: The minimum length of time for which a University office or department is responsible for maintaining records. Retention periods are determined through consultation with state and federal law and industry best practices, and are to be adhered to by all University employees in the course of their general business activities.

Retention Schedule: An internal document describing categories of records, stating their retention period, and providing instructions for their disposition. The [Record Retention Schedule](#) will be updated regularly.

Disposition of Records: The terminal treatment of records, either through destruction or permanent storage with the appropriate department.

Department: For the purposes of this policy, the office responsible for receiving, maintaining, preserving, and, where appropriate, disposing of, official University records.

PROCEDURE:

Records Creation

All departments must create records that accurately document their core activities and functions.

Records Storage

All University departments and offices must maintain their records in a safe, stable, and secure manner that supports their timely and accurate retrieval and applies appropriate controls on their accessibility. To do this, departments and offices should:

- Develop consistent and accurate filing, classification, and/or indexing systems for records—both paper and electronic—that all employees understand and follow. Such systems must enable the efficient finding of appropriate records and need not be complex.
- Store their records in secure and stable environments, including electronic records storage on stable media and in accessible software formats.
- Determine the confidentiality and privacy status of all of their records and ensure that security measures are appropriate to meet the needs of the records.
- Document their records organization system, storage locations, and security procedures in existing policies and procedures.
- Educate staff within the department in understanding sound record management practices.
- Ensure that access to confidential files is restricted.
- Upon request, submit a report to the Vice President for Financial Affairs verifying that records management practices are in place and are being followed. Space limitations may make it difficult to store records in the department. In these cases, the department should contact the Office of Facilities Management at (315) 792-3191 for assistance in locating secure areas to store paper documents in a manner that is consistent with this policy.

Maintenance of Records

Departments should employ best practices for maintaining records, such as keeping paper documents in locked, fireproof, and waterproof locations and maintaining electronic records in password-protected computers, consistent with federal, state and local laws and regulations. Departments shall be required to establish best practices regarding who shall have access to these records.

Records Disposition and Destruction

All departments and offices must know what they need to do with their University records once the records are no longer in active use. Typical disposition of records include:

- confidential destruction;
- confidential and secure transfer to the University Archives for permanent retention;
- confidential and secure transfer to pre-designated physical storage areas for short-term storage (in the case of records with a designated retention period, but which are not accessed regularly in on-site offices).

To determine and undertake the appropriate disposition of their records in compliance with this policy, departments and offices should:

- know the retention periods required by general and state statute for their types of records, and consult the University's [Record Retention Schedule](#) to determine the disposition of their records; and
- keep track of unofficial copies and notify other offices when unofficial copies may be disposed of
- contact one of the departments listed in the "Resources" section at the end of this policy for assistance in interpreting the [Record Retention Schedule](#) or developing or modifying schedules as needed.

When making record disposition decisions, the department must also take into account the existence of pending litigation, business necessity, and historical value.

Department directors and/or supervisors are responsible for the maintenance, disposition and destruction of all records for their areas of responsibility.

Methods of Disposal

Paper Documents

Purge

Sort through materials and determine what should be disposed. If a file contains records with different retention periods, they must be separated according to the retention period. If a record's retention period has not expired, it may not be disposed of.

Shred

All records covered by this policy are considered confidential, and must be shredded at the end of their retention period. Keep the material that is of reusable stock (such as folders or binders). The following procedures must be used for shredding:

- Only employees or work-study students within the department may shred records stored in that office. Employees may shred records by using their own office shredder or the large-capacity shredder located in Utica University's Copy Center.
- If a batch of records is too large to shred, the department must place the records in a box to make it easy to move the materials, and contact the Office of Facilities Management at (315) 792-3191 to schedule a date for removal and disposal of the records by a third-party vendor. The Office of Facilities Management can

temporarily store the records before disposal if there is limited room in the department.

- The third-party vendor will provide the University with a written contract containing all necessary warranties and certifications as required by law.

Electronic Data

Electronically stored data, including e-mails, word processing documents, databases, and administrative information system data (i.e. Banner), must be deleted or destroyed at the end of the retention period in consultation with the department, or the Office of the Vice President of Legal Affairs and General Counsel, if necessary.

Litigation Hold for University Records

When litigation against Utica University and/or its agents is filed or threatened, the law imposes a duty upon Utica University to preserve electronic and paper data, documents, and records. Once the litigation is filed or threatened, a litigation hold will be issued to each department subject to the hold. Record holds may also be issued for other types of legal proceedings, audits, reviews, or investigations. Departments must ensure that they not destroy, modify, alter, or delete University records that are currently part of, or are likely to be part of, any legal action or proceeding, litigation, audit, investigation, or review, even if the [Record Retention Schedule](#) or other policies or procedures indicate that the records are eligible for destruction.

Employees who violate this policy after being notified of a litigation or record hold may be subject to disciplinary action, up to and including dismissal, as well as possible civil liability and criminal sanctions.

RESPONSIBILITY:

It is the responsibility of vice presidents for each area to ensure that records retention standards are being met. It is the responsibility of each department to notify other departments when unofficial copies may be disposed of.

ENFORCEMENT:

Enforcement of Utica University policies is the responsibility of the office or offices listed in the “Resources/Questions” section of each policy. The responsible office will contact the appropriate authority regarding faculty or staff members, students, vendors, or visitors who violate policies.

Utica University acknowledges that University policies may not anticipate every possible issue that may arise. The University therefore reserves the right to make reasonable and relevant decisions regarding the enforcement of this policy. All such decisions must be approved by an officer of the University (i.e. President, Provost and Senior Vice

President for Academic Affairs, Vice President for Financial Affairs, or Vice President for Legal Affairs and General Counsel).

RESOURCES/QUESTIONS:

For questions regarding this policy please contact any one of the following offices:

Office of Financial Affairs (315) 792-3011

Office of Legal Affairs and General Counsel (315) 792-3222

Office of Human Resources (315) 792-3276

Integrated Information Technology Services (IITS) (315) 792-3835

Information Security Officer (315) 223-2386

For more information about record retention and disposition, refer to the [Record Retention Schedule](#).

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