Haverford College

Records Management and Retention Policy

Policy

It is the policy of Haverford College to comply with applicable laws and best practices with regard to the records it maintains, and to apply those laws and practices consistently across College offices.

Purpose

It is the purpose of this Records Management and Retention Policy:

- to define certain terms relevant to records management and retention;
- to establish accountability for records management and retention;
- to strengthen safeguards against the inadvertent disclosure of confidential records;
- to operate in conjunction with other College policies and programs relating to the generation or maintenance of records, including, but not limited to, the College’s Information Security and Identity Theft Prevention Program;
- to establish the length of time certain categories of records are required to be maintained and stored;
- to establish the time at which certain categories of records should be destroyed, absent exceptional circumstances;
- to preserve physical and digital storage space; and
- to establish appropriate records destruction practices.

Definitions

“Confidential Record”– The following types of Records are considered confidential:

- “Education records” as defined by the Family Educational Rights and Privacy Act of 1974, as amended;
- Individual employment records, including records which concern hiring, appointment, promotion, tenure, compensation,
performance, termination or other circumstances of employment;

- Records that include "protected health information" as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA);

- Records the use of which has been restricted by contract;

- All administrative and financial records of the College, unless specifically excluded by the Vice President for Finance and Administration; and

- Records which might expose the College to legal liability if treated as non-confidential.

“Duplicate Record” – A copy of a Record maintained by a College office other than the Responsible Office.

“Electronic Record” – Any Record that is created, received, maintained and/or stored on College local workstations or central servers, regardless of the application used to create that Record. Examples of Electronic Records include, but are not limited to, electronic mail, word processing documents, spreadsheets and databases.

“Paper Record” – Any Record maintained in a hard copy paper format, regardless of whether the Record was originally created on paper or as an Electronic Record.

“Record” – Electronic and Paper Records, collectively.

“Required Retention Period” – The retention period set forth in the College’s Records Retention Schedule.

“Responsible Office” – The College office responsible for ensuring that a particular Record is maintained for the Required Retention Period.

**Electronic Records**

Unless otherwise specifically set forth in this Policy, maintenance and disposition of Electronic Records shall proceed on the same basis as Paper Records.
Safeguards Against Unauthorized or Accidental Disclosure

Until Records are properly disposed in accordance with the Records Retention Schedule, each office of the College is accountable for securing and maintaining its Records, regardless of format or location. Each office is accountable for ensuring that employees, and others, are only granted access to Confidential Records essential to the performance of their duties. Further, each office must ensure that those granted access are trained and employ reasonable safeguards to protect the Confidential Records.

Records Retention Schedule

The Records Retention Schedule sets forth the length of time Records should be retained.

The Responsible Office must ensure that Records are retained in accordance with the Records Retention Schedule. The Records may be maintained in the Responsible Office or in another location as designated by the Responsible Office.

Duplicate Records should be destroyed once no longer necessary to the operation of the office maintaining the Duplicate Record.

Extended Retention Period

The Responsible Office may retain a Record beyond the Required Retention Period if good cause exists for doing so. In that situation, the Responsible Office will ensure that the Record is destroyed in accordance with this policy once the need for its extended retention ends.

Destruction

When the Required Retention Period for an Electronic Record expires, the Responsible Office will initiate the process for the Electronic Record’s destruction and disposal. The destruction of Electronic Records shall be authorized by the senior officer in the Responsible Office. All Electronic Records shall be destroyed by or in consultation with the Chief Information Officer or his/her designee.

When the Required Retention Period for a Paper Record expires, the Responsible Office will initiate the process for the Paper Record’s destruction and disposal. The destruction of Paper Records shall be authorized by the senior officer of the Responsible Office. All Paper Records constituting Confidential Records shall be destroyed by shredding.
Suspension of Records Retention Schedule and Litigation Hold Directives

When litigation involving the College or its employees is filed or threatened, the law imposes a duty upon the College to preserve all Records that pertain to the issues involved. Once aware that litigation exists or is likely to be commenced, the College’s attorneys or the Vice President for Finance and Administration will issue a litigation hold directive to appropriate personnel. The litigation hold directive overrides the Records Retention Schedule to the extent it may have otherwise called for the destruction of Records covered by the hold directive until the hold has been lifted by the College’s attorneys or the Vice President for Finance and Administration. The suspension applies equally to Paper and Electronic Records, including Duplicate Records. No College employee who has been notified of a litigation hold may alter or destroy a Record that falls within the scope of that directive.

Any College employee who becomes aware of litigation or threatened litigation prior to receiving a litigation hold directive shall inform the Vice President for Finance and Administration immediately and shall suspend the Records Retention Schedule until either (a) a litigation hold directive, defining the scope of the suspension, is issued by the College’s attorneys, or (b) the employee receives confirmation from the Vice President for Finance and Administration that no litigation hold directive will be issued.

Training and Oversight

The Vice President for Finance and Administration, or his/her designee, shall be responsible for the overall administration of this Policy.

Each member of the College’s Senior Administrative Staff shall identify an individual to serve as the Records Management Liaison responsible for training and oversight relating to this Policy within that Staff member’s area of the College. At a minimum, the Records Management Liaison will:

- train new College employees regarding this Policy and its implementation within the Liaison’s area of the College;
- provide a reminder to all employees regarding the terms of this Policy and the Records Retention Schedule on or about April 1st of each year; and
- take steps to generally assess compliance with this Policy on an annual basis. The Records Management Liaison will report systemic failures to comply with this Policy to the Vice President for Finance and Administration, or his/her designee, who will take steps to address those failures.