

SCHOOL DISTRICT RECORDS REGULATION

PURPOSE

As electronic mail has become a primary form of communication, the volume of messages continues to rise exponentially. This creates a severe burden on the District's email servers and networks and has other collateral effects including exposing a growing volume of information to potential security breaches, increased litigation costs associated with e-discovery, and increased burdens with review of voluminous amounts of information in response to FOIL requests. Thus, while email remains an important communication tool, it should not serve as a filing or record retention management system.

SCOPE

This Regulation is applicable to all Board of Education members and District employees who create, send, or receive email messages and attachments using a District email account and/or on the District network/server. Board of Education members and District employees must use their District-issued email account for District business and MAY NOT use personal email accounts.

RETENTION PERIOD

The Board establishes a maximum 120 day retention policy for email stored on the District network/server. The only exception is for email accounts which are subject to a litigation hold notice as authorized by the Superintendent of Schools.

Commencing on July 1, 2016, District email systems will automatically and permanently delete messages older than 120 days on active email servers. The deletion will be done daily on a rolling basis. This means that on July 1, 2016, all emails dated on or prior to March 2, 2016 will be deleted, on July 2, 2016, all emails dated March 3, 2016 will be deleted, and so on. This automatic deletion policy applies to messages within all email folders (Inbox, Sent, Drafts, Deleted) on the District's server.

EMAIL CLASSIFICATION AND RETENTION/DELETION PROCEDURE

Emails should be classified by determining the subject matter and purpose of the email. The content of the email will determine, what, if any, classification of records the email falls under, and the length of the retention of email will then be in accordance with District Policy and Retention Schedule ED-1.

Messages and/or attachments that need to be preserved pursuant to Retention Schedule ED-1 must be archived to file folders on the District server, outside of the email system. They may also be printed and retained in paper form, but this is not encouraged.

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Emails that do not contain material falling into a category of records identify in Retention Schedule ED-1 are likely not records and should be deleted permanently unless they serve an important operational value or are subject to a litigation hold. Users are encouraged to delete messages that do not need to be preserved as quickly as possible. Under no circumstances should users save emails to local hard drives, home computers or portable media such as CDs, DVDs, or USB drives. Forwarding emails to personal accounts is prohibited.

LITIGATION HOLDS

When litigation against the District, its Board of Education, its employees and/or agents is pending or reasonably expected, District personnel may receive a litigation hold notice from the Superintendent of Schools or designee instructing the recipients to preserve all documents and records to the matter being litigated.

A litigation hold directive overrides this email retention regulation, as well as any record retention schedule that may have otherwise called for the disposal or destruction of relevant documents, until the hold has been cleared.

No Board of Education member or District employee who has received a litigation hold notice may alter or delete an electronic record that falls within the scope of that notice. A litigation hold may also cover other electronic records that the user has downloaded, saved, or moved to other folders, devices.