

RETENTION OF DISTRICT RECORDS

In compliance with Idaho Code, the Board of Trustees of Bonneville Joint School District No. 93 establishes the following guidelines to provide administrative direction pertaining to the retention and/or disposal of District records. Unless otherwise prohibited by applicable law, all District records may be maintained electronically and/or in hard physical copy.

The Board delegates responsibility for the maintenance, safeguarding, and destruction of the District's records to the Superintendent/designee, and the Public Records Custodian(s) and shall be in cooperation with the District's Business Office, Directors of Maintenance, Operations, and Technology, the Principals at the District's school buildings, and other administrative personnel employed by the District.

Each school employee shall be responsible for having knowledge of this policy and the requirement to safeguard the District's records, electronic or otherwise, consistent with #8605F *District Records Retention Schedule*.

Guidelines

Assurance of Retention of District Public Records

1. The Superintendent/designee, and the Public Records Custodian(s) shall work in conjunction with the District's Technology department to assure that the staff is aware of the routine destruction of electronic District records, including all forms of electronic communication, such that they are able to assure that the District's public records are retained consistent with #8605F *District Records Retention Schedule*, regardless of whether such records are maintained in a hard copy or an electronic copy.
2. The District's employees shall retain District records pursuant to #8605F *District Records Retention Schedule*, particularly student educational records, personnel records, and investigative records, in a format that is not part of the District's routine electronic records destruction.
3. The District's technology personnel shall be notified that a particular document is **not** to be destroyed as part of the routine destruction of electronic records.
4. It is the responsibility of every employee to assure that District documents that need to be retained for a longer period of time due to federal law, state law or the provisions of this policy are retained accordingly.
5. An employee's failure to retain District documents accordingly could serve as a basis for discipline, up to and including possible termination.

Method of Destroying Official Records

The District's official records, and any copy thereof that may be deemed to be confidential and/or not intended to be disseminated to the public, shall be shredded before being disposed.

Destruction of Electronic Communications

The District will not store any electronic communications, including, but not limited to, emails, texts, instant messaging, voice mails, forums, social networking posts, video chats, and webpages.

Suspending Destruction of Official Records

1. The District will immediately cease the destruction of all relevant records, including electronic records (even if destruction is authorized by an approved Retention Schedule) for the following reasons:
 - a. Receipt of a Freedom of Information Act (FOIA) request;
 - b. Belief that an investigation or litigation is imminent; and
 - c. Notification that an investigation or litigation has commenced.
2. If relevant records exist in electronic formats (digital images, word processed documents, databases, backup tapes, etc.) the District's Administrative personnel shall notify its information technology staff to cease destruction of records relating to the subject matter of a Freedom of Information Act request, suit, potential suit, or investigation.
3. Failure to cease the destruction of relevant records could result in penalties against the District.

Definitions:

Electronic Communication: refers to the transfer of writing, signals, data, sounds, images, signs or intelligence sent via an electronic device. Some examples of e-communication are email, text messages, social media messaging and image sharing.

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NON-INSTRUCTIONAL OPERATIONS

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Cross Reference: Public Access to District Records #4297
Student Records #3600
Records Management #8600

Legal Reference: Idaho Code § 33-701(8) Fiscal year – Payment and accounting of funds
Idaho Code § 56-209h Administrative remedies
Idaho Code § 74-119 Agency guidelines
SDE Idaho Special Education Manual Revised 2016, Chapter 11 Section 5
SDE Administrator's Handbook; 1.43
2 CFR 200.333-337 Retention requirements for records
5 U.S.C. § 552 The Freedom of Information Act
Idaho Records Management Guide, August, 2010