

Retention of Electronic Records and Information

I. Records Custodian

The Superintendent shall designate a Records Custodian who will be responsible for implementation of Board policies and administrative regulations for the retention of records, including e-mails and electronically stored information.

II. Definitions

“E-mail” is a means of sending messages between computers using a computer network or over a modem connected to a telephone line. This information consists primarily of messages, but may also include attachments such as calendars, directories, distribution lists, sound recordings, photographs, images, word processing documents, spreadsheets, and other electronic documents. E-mail is stored in a digital format rather than on paper and is retrievable at a future date.

“Electronically stored information” is information that is fixed in a tangible form and is stored in a medium from which it can be retrieved and examined. It can consist of writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any medium from which information can be obtained into a useable form.

“Public record” is any recorded data or information relating to the conduct of the public’s business prepared, owned, used, or received by a public agency, whether such data or information is handwritten, typed, tape-recorded, printed, Photostatted, photographed or recorded by any method.

“Digital imaging” is the process of converting original records on paper or film into electronic images. The process typically requires a document scanner or digital camera, a computer and software to capture the image, and indexing of the digitized images.

“Transitory Correspondence” consists of communication that does not relate to an employee’s job responsibilities or has a short term administrative value.

“Routine Correspondence” consists of any communication that is part of or relates to commonplace tasks or duties within an office and is done at regular or specified intervals.

III. E-mail Classification

The same Record Retention Policy that applies to paper records applies to electronically stored information, including e-mail communications. Therefore, like paper records, the content, and function of an electronic record, including e-mail communications, determine the retention period for that document. The District will comply with all of the minimum standards set forth in the Municipal Records Retention Schedules, as issued by the Office of the Public Records Administrator for the State of Connecticut.

Employees shall use the following steps in determining whether to maintain e-mail messages and, if so, for how long:

- Step 1: Determine whether the message is a public record or a non-record.
- Step 2: If the message is a non-record, destroy at will (e.g., spam and unsolicited advertisements).
- Step 3: If the message is a record, determine which records series the message belongs to, for example:
- a. Transitory Correspondence, delete at will.
 - b. Routine Correspondence, retain for two (2) years.
 - c. All other Correspondence, retain for the equivalent record series pursuant to the appropriate Records Retention Schedule.
- Step 4: Maintain the messages for the required retention period under the equivalent records series.

IV. Digital Imaging of Paper/Hard Copy Records

Paper records may be digitized and maintained as electronic records; however, in doing so, the District must ensure the authenticity, reliability, integrity, and usability of the reformatted records. If the District uses a vendor for digital imaging services, the District remains responsible for ensuring compliance with this regulation.

In its use of digital imaging, the District shall:

1. Establish and maintain a quality assurance process to ensure the creation of accurate and authentic digital images and accurate indexes and production metadata.
2. Create and maintain accurate and authentic digital images in accordance with accepted standards and best practices.
3. Create and maintain accurate indexes and production metadata to properly identify and retrieve digital images.
4. Store and protect digital images against file corruption, alteration, or deletion throughout the designated retention period.
5. Perform periodic backups of all digital images, associated indexes, and production metadata and maintain a geographically remote offsite backup copy to enable recovery and access in the event of a wide-spread disaster or emergency.
6. Perform and certify annual tests of backup media to ensure all files have been backed up and are readable.
7. Migrate digital images, associated indexes, and production metadata to a newer media platform or file format as needed to ensure the content remains accessible.
8. Define and document the normal operations and use of the imaging technology and electronic content management system to ensure system trustworthiness.

If paper public records have been converted to digital images, the District shall retain or dispose of the original paper records pursuant to the following guidelines.

Permanent If records are to be retained permanently or have been designated as archival, they may be digitally scanned and retained in an electronic format, but security copies of the records must be retained in a "human-readable" format, such as paper or microfilm. The Records Custodian must first verify with the Office of the Public Records Administrator for approval of the security copy storage format.

Less than Permanent: These records may be transferred to a digital imaging format with disposal of the original, paper records. To dispose of the original records following their digital imaging, the Records Custodian must first obtain prior authorization from the Public Records Administrator and State Archivist (using Form RC-075.1, available from the Office of the Public Records Administrator). Following destruction of the original records, the Records Custodian must document that the paper records were destroyed lawfully.

To dispose of digital images once the minimum retention period has expired, the Records Custodian shall obtain prior authorization from the Public Records Administrator and State Archivist. The District must document that the digital images were destroyed lawfully under the appropriate disposition authority. The District shall follow a destruction process by which content is systematically deleted with an audit trail that is legally admissible in court. Destruction should be documented by recording the date of destruction on the form "Records Disposition Authorization" and attaching any supporting documentation, or by following the District's process for documenting document destruction.

V. Retention of Electronic Records

E-mail and electronically stored information will be archived by the District for their required retention period using methods approved by the Records Custodian, which may include the following:

1. Print message or record and store in appropriate hard copy file.
2. Place in computer folders and save on hard drive.
3. Save to a removable disk which is then stored in an appropriate location.
4. Transfer to an automated records management software application.
5. Manage at the server by an automated classification system.

The Records Custodian will be responsible for working with the District IT Director to implement a schedule and system for reviewing electronically stored information. This review shall occur at least annually. No system-wide process for automatic deletion of electronic information will be implemented without notice to any individual who may have such information and each such individual will verify that they have reviewed and archived information that must be retained. Following this review, all e-mails and/or electronically stored information that have not been archived according to District policies and procedures shall be designated for deletion or archiving, and the affected District employees will be notified about the procedures to be followed to implement this process. The Records Custodian or his/her designee shall follow up with notified employees to ensure compliance.

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Regulation 3543.31(d)

Additionally, the Records Custodian, working with the District IT Director, shall ensure that any process for automatic deletion of electronic information from the system will not delete information stored in folders and/or system locations that have been designated as appropriate for archiving electronically stored information.

Legal Reference: Connecticut General Statutes §§ 1-200(5), 1-211, 1-213(b)(3)
Connecticut General Statutes § 7-109
Connecticut General Statutes § 11-8 et seq.
General Letters 96-2 and 2009-2 of the Public Records Administrator
Record Retention Schedules Towns, Municipalities and Boards of Education
Public Records Policy 02: *Digital Imaging*, Office of the Public Records Administrator (August 2014)
Frequently Asked Questions about E-mail, CT Public Records Administrator, available at <https://ctstatelibrary.org/wpcontent/uploads/2015/05/EmailGuidelines.pdf>.

Regulation approved: May 5, 2016
Regulation revised: January 8, 2019