Management of University Records

No. 2000

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Policy Owner:
Dr. Tyler Walters

Policy Author: *(Contact Person)*
Ryan Speer

Affected Parties:
Undergraduate
Graduate
Faculty
Staff

1.0 Purpose

This policy provides guidance in establishing and maintaining a records management program. Records Management is an administrative technique that provides management and control over the files and records of the university to enhance efficiency and effectiveness. It includes activities associated with the creation, movement, retention, retrieval, duplication, safekeeping, and destruction of records.

1.1 Background

The Virginia Public Records Act vests the records management function of state and local government in the Library of Virginia. This act authorizes the Library of Virginia to issue regulations and guidelines designed to facilitate the creation, preservation, storage, filing, reformatting, management, and destruction of public records by agencies. The *Code of Virginia* requires all state agencies with public records to designate a records officer for the purposes of implementing and overseeing a records management program.

2.0 Policy

At Virginia Tech, Records Management Services is responsible for facilitating compliance with the Virginia Public Records Act and liaison with the Library of Virginia's Records Management section. The Director, Records Management Services is the university's designated records officer, and assists in the development and implementation of university policy and procedures for university-wide records management in accordance with the guidelines of the Virginia Public Records Act. All organizational components of the university are required to participate in this program. The Dean, Director, or Department Head is responsible for all university records generated and received by the unit.

University records are the property of the university. Administrators, faculty, staff, and students who terminate their association with the university are to return all university records to the appropriate office. University personnel are responsible for assuring compliance with state and federal statutes pertaining to the confidentiality of university records.

Those items designated as non-university records will not be subject to the university's records management program. When there is any doubt as to whether or not an item is a non-university record, it will be considered to be a university record.

This policy governs only those records originally created by Virginia Tech. When a record is created, one version of the document (whether the signed version, a copy, or the electronic version) will be designated by the originating office as the "official version". This official version is the only one that is maintained in accordance with the records management procedures in this policy. All additional copies of the official version can be retained as long as needed and then disposed of as desired.

2.1 Roles and Responsibilities

Records Management Services facilitates university record keeping by approving and document records destruction, by providing consulting services, and by offering centralized and subsidized support services for the efficient and economical management of university records, based on their administrative, legal, fiscal, and historical value. RMS provides advice and assistance in the areas of:

- Records retention
- Records storage
- Records destruction
- Advising on reformatting services
- Assistance in vital records storage and retention

At this time, there are no fees for these services.

RMS operates a University Records Center located within the Library Service Center, a warehouse specifically designed for inexpensive storage of records. Records stored in the center are classified according to the Library of Virginia's state agency retention schedules. Records eligible for storage in the center are inactive records; those normally referenced less than 10 times annually, which are stored for administrative, regulatory, and legal retention requirements. These records have a short-term retention period, on average 3-5 years until their destruction date. Records will be stored on a first- come, first-served basis. If the facility is full, requests for storage will be placed in a queue until space is made available through a scheduled destruction.

Since the staff of RMS serves only as custodians of records, control of records stored in the University Records Center remains with the originating unit, which selects appropriate records retention codes and approves final records destruction with the assistance of the Director, Records Management Services. Exceptions to regularly scheduled records destruction within the University Records Center may occur to meet the university's legal obligations or for auditing purposes; please see section 2.3 below for more details on records holds.

The Dean, Director, or Department Head is responsible for all university records generated and received by the unit and has the authority to sign any and all memoranda relating to the retention schedule, storage, transfer, retrieval, and destruction of the records of the unit. Additionally, he or she would find it beneficial to appoint a Records Coordinator to act as his or her official representative. The Records Coordinator is the liaison between the department and RMS and is responsible for the records management activities of the department to include:

- Records inventory
- Coordination of the transfer and destruction of records
- Maintenance of an index or detailed listing of records stored in the Records Center within the University Storage Facility for reference by persons requesting records
- Additional duties related to records management.

Notify Records Management Services of the identity of the Records Coordinator by completing and sending the appointment form located at the RMS web site.

2.2 Records Retention and Disposition

Retention and disposition periods are set by the State Library of Virginia for state agencies. These schedules, as well as an abbreviated Virginia Tech schedule, may be accessed at the Records Management Services web site. It is the responsibility of the unit officials, with the assistance of Records Management Services, to ensure that the retention and disposition schedules are being followed. These retention schedules are identified by type of record and numerical code and are normally based on fiscal, academic, or calendar year.

2.3 Legal Matters, Audits, and Investigations

Any university record that is relevant to pending or anticipated action, i.e., litigation, claim, audit, agency charge, investigation, or enforcement action, shall be retained until final resolution of the matter. In these circumstances, the university functional unit involved with the ongoing action will notify all other relevant functional units and work with staff to identify and retain any records (including electronic records) and other information that could be relevant to the matter. This will include a directive that the relevant functional unit's normal document destruction procedures be suspended temporarily.

2.4 Electronic Records

The *Virginia Public Records Act* (§ 42.1-77) broadly defines an electronic as meaning a record whose creation, storage, and access require the use of an automated system or device. Ownership of hardware, software, or media used has no determination on whether a record is public. The great majority of electronic records, including E-mail, may be classified by their content, i.e.: "agenda files", "management reports", "budget records", as the electronic system is merely a vehicle for such records. Records in E-mail systems include not only the messages sent and received, but also the transmission and receipt data. Electronic records may be encrypted with the approval of the Dean, Director, or Department Head, provided a clear, workable decryption device is kept available.

3.0 Procedures

Each unit of the university, in cooperation with the University Records Manager, can promote sound records management by complying with the following:

- Identify the persons responsible for records keeping.
- Comply with established retention schedules provided by the Library of Virginia.
- Transfer inactive records to the Records Center or dispose of the records as delineated in the retention schedule.
- Consult with the University Records Manager on vital records and microfilm systems and equipment.

3.1 Requesting Records or Information

The Dean, Director, or Department Head has access to all of the unit's records stored in the Records Center. He or she can authorize certain departmental personnel to retrieve information from records stored in the facility. When it is determined that a file, a copy, or information is needed from the boxes in storage, a telephone request can be made or an electronic or written request may be submitted on a service request form located on the Records Management Services web site.

It is the unit's responsibility to return records promptly after use. Unit personnel will be asked to sign a receipt for all records or information regardless of format.

3.2 Authorizing Personnel to Request Records

Control of the records stored in the Records Center remains with the originating unit. ONLY authorized personnel from the department that stored the records are eligible to request the records or information from the records. The personnel authorized to request the records will be eligible to have access to all the records unless otherwise specified. To designate departmental personnel as eligible to secure information from stored records, complete the relevant form at the Records Management Services web site.

Federal, state, and internal auditors have unrestricted and unlimited access to all university records. The only other exception to the rules of access is to meet the legal obligations of the university.

3.3 Transfer of Records

Transfer of inactive records to the Records Center at the University Records Center is accomplished by filling out the relevant transfer form located at the Records Management Services web site. The form requires the department to supply the department box number, a valid record series retention code, title and date of the record, and the name of the first and last file of the box, if pertinent. Boxes must contain records from the same year and possess the same retention code.

3.4 Destroying Records

University records (official version) may not be destroyed without a certificate.

The Certificate of Records Destruction form documents the university's destruction of records according to the applicable retention schedule. A destruction certificate request form is available on the Records Management Services web site.

The Certificate of Records Destruction must be signed by the Dean, Division, Department Head or Records Coordinator and requires a valid record series numbers for the records to be destroyed. The form should also contain the record title, date range, and number of boxes to be shredded or recycled. Upon receipt of the form, the Director, Records Management Services will sign the form and return a copy to the department.

If the department wishes RMS to shred the records, it indicates that request at the bottom of the form. RMS will then issue labels to be placed on the boxes by the department. The department has the option of having Moving & Hauling deliver, or delivering the boxes themselves, to the University Records Center for shredding.

ALL Confidential records (containing personally identifiable information (PII) or sensitive information) must be destroyed by shredding to include all copies.

Non-university record materials containing no Sensitive or Confidential records may be disposed of by any convenient and economical means.

Electronic Records are not destroyed when sent to the trash or recycle bins on the computer. Electronic records must be electronically "wiped" clean or the media physically destroyed by following the procedures documented by the Information Technology Security Office web site. Computer users should be cognizant of the fact that their hard drives may contain records/partial records, which may be electronically retrievable despite having "over-written" the drive. Printers and other peripherals may also retain records or partial records and must be handled in accordance with Policy 7010, Seuring Technology Resources. If an electronic document and its associated

metadata are migrated to paper, the paper document becomes the official version. Note that attachments to the e-mail (if any) may be preserved elsewhere and need to be migrated as well.

4.0 Definitions

University records are public records, originated within the university (copies of origin), and are defined as all written books, papers, letters, documents, photographs, tapes, microfiche, microfilm, photostats, sound recordings, maps, other documentary materials or information in any recording medium regardless of physical form or characteristics, including data processing devices and computers, made or received in pursuance of law or in connection with the transaction of university business.

Non-university record materials, meaning reference books and exhibit materials acquired and preserved solely for reference use or exhibition purposes; copies of records; extra copies of documents preserved only for convenience or reference; stocks of publications; transitional correspondence or memoranda including telephone call slips, letters of transmittal, and preliminary drafts of letters, working papers, memoranda, or reports; and private documentation, including e-mail, of a university staff member not generated from the transaction of university business are not included within the definition of university records.

Sensitive Records are originals as well as copies of records which contain personally identifiable information (PII) and require shredding for destruction.

Confidential records are those which contain private and privileged information as defined in university policy and state and federal regulations, such as the "Freedom of Information Act" (*Code of Virginia* 2.2-3700 et. seq.) and "Government Data Collection and Dissemination Practices Act" (*Code of Virginia* 2.2-3800 et. seq.). These records are prohibited from public disclosure because access of information may cause harm or embarrassment to the state, its citizens, or other individuals or organizations. Therefore, special protection against unauthorized access should be given to confidential records. Extra measures can include storing records in double-locked filing cabinets or in restricted areas. Shredding is required for destruction of Confidential records.

Vital records are records essential to the continuing operation, recovery capability, and protection of university interests in a legal or fiscal position, in an emergency, or after a disaster. Vital records may or may not be confidential. Vital records include student records, faculty and staff records, certain financial and legal records, academic programs, etc. To ensure maximum protection of a vital record, one copy should be maintained at the unit of use, and another copy maintained at the off-site Records Center in the University Storage Facility.

Active records are records needed to conduct the daily business of the university. They must be maintained in appropriate filing or retrieval equipment for immediate access in the office.

Inactive records are records not required for immediate access, but retained for information, audit, or legal reasons. Normally they are referenced less than 10 times annually. They should be retired from expensive office space to off-site storage in the Records Center in the University Storage Facility.

Electronic records are public records whose creation, storage, and access require use of an automated system or device. Ownership of the hardware, software, or media used has no bearing on whether a record is public.

Conversion is the act of moving electronic records to a different format, especially from obsolete to a current format.

Metadata is data describing the content and structure of records and their management through time.

Migration is the act of moving electronic records from one information system to another to ensure confirmed access while maintaining the records' integrity, authenticity, reliability, and usability.

Original record is the first and preferred generation of the record.

5.0 References

Code of Virginia, Chapter 7, Virginia Public Records Act, 1976 and as amended.

Virginia Public Records Management Manual, The Library of Virginia, September 2010 and as amended.

Policy 7100, *Administrative Data Management and Access Policy*.

6.0 Approval and Revisions

Approved February 20, 1989, by the Assistant Vice President for Administrative Affairs, Ann Spencer.

- Revision 1
  - Section 2. The agency records administrator is the university Records Manager. Deleted "the chief administrative officer of each unit is responsible for all university records generated and received by each unit." Deleted Sections 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7. Added Section 2.1, Record Retention, and Section 2.2, Disposal of University Records.
  - Section 3. Changed to list services provided. Deleted Sections 3.1, 3.2, 3.3, 3.4, 3.5. Added Sections 3.1 Records Storage, 3.2 Off-site Storage of Computer Tapes, 3.3 Requesting Records Information.
  - Section 4. Definition of "university records" changed to "original university records" and added "…records that are created by university employees." Deleted definitions of routine records, current records, semicurrent records, noncurrent records, custodian, and electronic records.
  - Section 5. Deleted references "Manual for the Management of University Records" and "Policy 2005." Approved February 18, 1999 by Executive Vice President, Minnis E. Ridenour.
- Revision 2
  - General: Update to latest titles for individuals and offices (throughout the document). Update to reflect latest State Library guidance including elimination of several procedures. Add electronic records information. Add the Records Management web-site use throughout the policy, as that is the primary means of communication. Eliminate excess verbiage throughout; includes eliminating discussions not germane to this policy.
  - Section 2. Update to current titles. Section 2.1 altered to include current electronic records guidance. Deleted Section 2.2: Special Protection. Section 2.3 changed to 2.2 with current title: Records Management Services. Last two paragraphs eliminated. Eliminated COM service. Eliminated Archive discussion. Combined Section.2.5 and 2.6 into more concise, new Section 2.4: Requesting Records or Information. Shortened Section 2.7: Authorization into new Section 2.5, adding current usage of the Records Management web site.
  - Section 3. Eliminated outdated procedures. Sections 3.1 and 3.2 eliminated to reflect current State Library guidance. Section 3.3 eliminated to reflect current guidance. Section 3.4: Maintaining Schedules becomes new Section 3.1. Add a new Section 3.2: Transfer of Records. Add current web-site procedures. Section 3.5: Destroying Records becomes Section 3.3. Verbiage is reduced and web-site usage is

introduced.

- ▪ Section 4. Shortened to reflect current Library guidance and terms.
- ▪ Section 5. References are updated.

Approved June 28, 2001 by Executive Vice President and Chief Operating Officer, Minnis. E. Ridenour

September 7, 2006: Technical revision – reference to former Policy 2005 updated to reference current Policy number 7100: Administrative Data Management and Access Policy.

- Revision 3
  - ▪ General: Updates reflect the emphasis on electronic records contained in the 2006 changes to the Virginia Public Records Act; adds the term and student ID Number, which replaces the student Social Security Number on most student records; and adds definitions used in describing electronic records.
  - ▪ Section 2.1 adds current electronic records definition.
  - ▪ Section 3.1 adds disposition schedules to the discussion of retention schedules.
  - ▪ Section 3.3 enhances the discussion of disposition and migration of electronic records. Updates Section 3.3, Destroying Records, to reflect the Certificate of Records Destruction, Form RM3#, previously a downloadable PDF file, is now submitted electronically.
  - ▪ Section 4 defines Electronic records and adds 4 new definitions in accordance with latest revision of the Virginia Public Records Act.
  - ▪ Section 5. Updated references to state and university policies and procedures

Approved December 13, 2010 by Vice President for Administrative Services, Sherwood G. Wilson.

- Revision 4
  Updates have been made to include the new department name, email and web addresses, etc. Some sections of the policy have been relocated for purposes of clarity. Section 2.3 Legal Matters, Audits, and Investigations has been added to cover legal holds and the need for departments to be aware of the requirements for placing holds on records involved in legal actions and investigations.

  Approved January 12, 2015 by Senior Vice President and Provost, Mark G. McNamee.

- Revision 5
  Updates have been made to reflect job title and department name changes. Some sections of the policy have been edited for purposes of clarity.

  Approved October 8, 2018 by Interim Executive Vice President and Provost, Cyril R. Clarke.

- Revision 6
  Technical updates for to incorporate applicable Code of Virginia links related to Freedom of Information and Government Data Collection and Dissemination Practices Act.

Approved May 30, 2019 by Executive Vice President and Provost, Cyril R. Clarke.