



Administration: Administrative Operations

Records Retention

I. Purpose

To establish systemwide standards and procedures for the retention and disposition of records in Baltimore County Public Schools (BCPS).

II. Definitions

- A. *Certificate of Records Destruction* – A formal, written notice that identifies records that have been destroyed.
- B. *Destruction* – The disposal of records through shredding, deletion or other methods after the record has passed its retention period.
- C. *Employee* – For the purpose of this rule, an employee includes an individual employed by BCPS on a regular or temporary basis, interns, consultants, contractors, volunteers and authorized agents of BCPS who use BCPS technology and communications.
- D. *Litigation Hold* – A process used by BCPS to preserve all records relevant to potential or actual litigation.
- E. *Record* – Any documentary material created or received by a Baltimore County public school or office, or a school system official in connection with the transaction of BCPS business. A record includes:
 - 1. Written materials, e-mail, books, photographs, photocopies, publications, forms, microfilms tapes, computerized records, maps, drawings, and other materials in any format; and
 - 2. Data generated, stored, received, or communicated by electronic means for use by, or storage in, an information system or for transmission from one information system to another.

- F. *Records Officer* – The person designated by the superintendent whose responsibilities include, but are not limited to, coordinating the BCPS records retention program, monitoring records management activities, and serving as the liaison with the Maryland State Archives and the Maryland State Department of Education.
- G. *Records Retention Schedule (RRS)* – The official document that identifies all BCPS records and specifies, which records are to be maintained permanently and which are deemed temporary and can be destroyed after a certain period of time.
- H. *Retention Period* – The duration of time a record is to be retained before the record is destroyed.

III. Responsibilities

- A. The Superintendent will designate a records officer to coordinate the BCPS records retention program.
- B. The records officer will:
 - 1. Serve as the primary records management contact for BCPS and serve as a liaison with the Maryland State Archives and the Maryland State Department of Education;
 - 2. Provide oversight and management of the BCPS records retention activities, develop necessary procedures and provide records management training;
 - 3. Develop, maintain and update the records retention schedule (RRS) in accordance with state and federal laws and BCPS policies and rules; and
 - 4. Submit a *Certificate of Records Disposal form* to the Maryland State Archives and the Maryland State Department of Education when records are destroyed in accordance with the record retention schedule.
- C. All employees shall be responsible for adhering to the BCPS records retention program concerning BCPS records they create, receive, oversee and destroy in the normal course of business.

IV. Guidelines

- A. All records created, received or sent by BCPS employees in any format in the normal course of business are the property of the school system.
- B. Records Retention Schedule (RRS)
 - 1. BCPS has adopted a records retention schedule listing various types of records maintained by BCPS. For each type of record, the schedule includes a retention period. The records retention schedule shall be considered part of this rule.
 - 2. Records that are subject to audit must be retained until such time as reports of the audit have been received and accepted by the appropriate officials or the retention period has been satisfied, whichever is longer. As some records are subject to more than one audit, all audit requirements must be satisfied.
 - 3. For records not expressly listed in the RRS, the retention period shall be four years, or until all audit requirements are met, whichever is later.
 - 4. The RRS shall be followed in all cases, unless:
 - a. The record is subject to a litigation hold;
 - b. The record has been subpoenaed;
 - c. The record is the subject of a request made pursuant to the Maryland Public Information Act;
 - d. The record is subject to an internal or external audit; or
 - e. The record is otherwise specifically determined by an employee with authority over the record to be necessary for retention beyond the required retention period, or as directed by the Board of Education of Baltimore County (Board).
- C. Student Records

Student records shall be maintained in accordance with Maryland State Department of Education student records manual and Board of Education of Baltimore County (Board) policy and Superintendent's Rule 5230, *Student Records*.

Legal References: 20 U.S.S. §1232g, *Family Educational Rights and Privacy Act* (FERPA)

RULE 2380

Annotated Code of Maryland, General Provisions Article, Title 4
(*Maryland Public Information Act*)
COMAR 13A.08.02, *Student Records*

Related Policies: Board of Education Policy 4100, *Employee Conduct and Responsibilities*
Board of Education Policy 5230, *Student Records*
Board of Education Policy 8132, *Policy Availability*
Board of Education Policy 8222, *Secretary-Treasurer*
Board of Education Policy 8330, *Minutes*

Related Rules: Superintendent's Rule 2373, *Public Information Act Requests*
Superintendent's Rule 4100, *Employee Conduct and Responsibilities*
Superintendent's Rule 5230, *Student Records*

Other: *Records Retention and Disposition a Reference Manual for Public Education in Maryland* (2005), Maryland State Department of Education
Maryland Student Records Systems Manual, Maryland State Department of Education
COMAR 14.18.02, *Records Retention and Disposition Schedules*
BCPS Record Retention Schedule

Rule
Approved: 11/20/18 Superintendent of Schools