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**Agora Cyber Charter School**  
**1018 W 8<sup>th</sup> Ave,**  
**King Of Prussia, Pa 19406**  
**Board of Trustees Policy**

## RECORD MANAGEMENT, RETENTION AND DESTRUCTION POLICY

This Policy pertains to all records and documents, regardless of physical form or characteristics, which have been created or received by the Agora Cyber Charter School ("Charter School") in connection with the transaction of school business. For purposes of this policy, "records" are defined as recorded information that is generated internally or received from external sources that is utilized in the transaction of school business, related to the school's legal obligations, documenting a transaction or verifying a receipt. Recorded information can be comprised of various characteristics and can be found on different media including, but not limited to: paper, audio or video recordings, electronic messages, computer hard drives, tapes and discs microfilm and microfiche.

This policy pertains to records which are specifically defined herein. **This policy does not pertain to student records.**

### Definitions

"Electronic Mail (E-mail) System" - a system that enables users to compose, transmit, receive and manage text and/or graphic electronic messages and images across local area networks and through gateways connecting other networks. This information consists primarily of messages but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets, and other electronic documents.

"Litigation Hold" - a communication ordering that all records and data relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.

"Records" - regardless of physical form or characteristics, information that documents a transaction or activity of the Charter School and that is created, received, or retained pursuant to law or in connection with a transaction, business, or activity of the Charter School. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.

"Records Management Plan" - the system implemented by the Charter School for the retention, retrieval, and disposition of all records generated by Charter School operations.

"Records Retention Schedule" - a comprehensive listing stating retention periods and proper disposition of records.

### Delegation of Responsibility

**Records Coordinator** - In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Board policy, the Charter School shall designate a person who shall be responsible for implementing this policy and for ensuring compliance with it. Any questions regarding document retention and/or destruction shall be directed to the person designated.

The Records Coordinator shall be responsible to:

1. Ensure that training appropriate to the user's position and level of responsibility is provided. Such training may include:
  - a. Operation, care and handling of the equipment and software.
  - b. Requirements of the Records Retention Schedule.
  - c. Protocols for preserving and categorizing Charter School records.
  - d. Procedures and responsibilities of Charter School staff in the event of a litigation hold.
  - e. Identification of what is and what is not a record.
  - f. Disposal of records.
2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.

3. Identify, when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of annually.

Records Management Committee - A committee responsible for the development and recommendation of the Charter School's Records Management Plan may be established by the Board. The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the recommended Plan. Members of the Committee shall include the:

1. Open Records Officer.
2. CEO or designee.
3. Board Secretary.
4. Information Technology Director or designee.
5. Director of Administrative Services or designee.
6. Board member(s).

The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.

## **Guidelines**

### Records Management Plan

The Charter School's Records Management Plan shall be the principal means for the retention, retrieval, and disposition of manual and electronic records, including e-mails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records. The Records Management Plan shall include:

1. Comprehensive listing of records and data of the Charter School.
2. Criteria to distinguish records of the Charter School from the supplemental personal records of individual employees.
3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced, and disposed.
4. Preservation measures to protect the integrity of records and data.
5. Data map or flow chart detailing the sources, routes, and destinations of electronic records.
6. Procedures and employee designated for determining whether an item is a record.
7. Procedures for adding, revising, or deleting records and data, and any other details necessary to implement the Records Management Plan.
8. Records Retention Schedule.
9. Provisions for the storage and retrieval of records in the event of an emergency or disaster.
10. Staff positions authorized to access Charter School records.
11. Procedures to be implemented in the event of a litigation hold that immediately suspends disposition of all records relevant to the current or potential claim. Such procedures shall specify: a. Who can initiate a litigation hold. b. How and to whom a litigation hold is communicated. c. Who will determine which records are subject to the litigation hold. d. Who will be responsible for collecting and preserving such records and data. e. Who will be responsible for monitoring and ensuring the Charter School's compliance with the litigation hold. f. In what format the records will be collected.

When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc. For any record not covered by the Records Retention Schedule, the Records Management Committee shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule.

The Charter School shall maintain and dispose of records in a manner that protects any sensitive, proprietary, or confidential information or individual privacy rights, and helps conserve natural resources.

### Manual Records

Manual records, which include all records not stored electronically, shall be retained, and disposed of in accordance with the Records Management Plan.

Manual records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The Charter School shall develop and maintain adequate and up-to-date documentation about each manual record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Define the contents of the system, including record formats.
3. Identify vital records and information.
4. Determine restrictions on access and use.

### Electronic Records

Electronic records shall be retained and disposed of in the same manner as records in other formats and in accordance with the Records Management Plan.

Electronic records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The Charter School shall develop and maintain adequate and up-to-date documentation about each electronic record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Specify all technical characteristics necessary for reading or processing the records stored on the system.
3. Identify all defined inputs and outputs of the system.
4. Define the contents of the system, including records formats and database tables.
5. Identify vital records and information.
6. Determine restrictions on access and use.
7. Describe update cycles or conditions.

#### E-mail Records

E-mail messages, in and of themselves, do not constitute records. Retention and disposition of e-mail messages depend on the function and content of the individual message. Records on an e-mail system, including messages and attachments, shall be retained and disposed of in accordance with the Charter School's Records Management Plan.

E-mail messages and attachments that do not meet the definition of records shall be deleted as required by the Records Management Plan.

E-mail records may be maintained as an electronic record or be printed and maintained as a manual record. For each e-mail considered a record, the following information shall be retained:

1. Message content.
2. Name of sender.
3. Name of recipient.
4. Date and time of transmission and/or receipt.

Contractor Records created or maintained by contractors employed by the Charter School shall be retained and disposed of in accordance with the Records Management Plan.

#### **Property of the Charter School**

All records are the property of the Charter School and no employee or contractor has any personal or property right to such records regardless of the employee or contractor's position or the fact that the employee or contractor may have developed or compiled them.

#### **Document Retention Schedule**

Trustees, employees, independent contractors, volunteers and members of the public should refer to the Document Retention Schedule attached to this policy for information concerning the period for specific types of records. Records shall not be destroyed before the required retention period has expired. Additionally, records shall not be retained for longer than the required retention period without first contacting the person designated by the school to implement and ensure compliance with this policy. Duplicates of original documents should generally be discarded after use unless necessary to support current operations. If duplicates are so retained, they should be discarded after they have served their purpose. In no event should duplicates be retained for a period longer than the retention period for the original document.

Electronic documents shall be retained as if they were paper documents. Any electronic files that fall into one of the document types on the above-schedule shall be maintained for the appropriate amount of time. Electronic and voice mail and other electronic data that are not official records should be destroyed unless subject to a Litigation Hold for legal purposes.

#### **Litigation Hold**

Upon any indication of an official investigation of the school or litigation involving the school, document destruction shall be suspended immediately. Destruction shall be reinstated upon the conclusion of the investigation or litigation. Employees are prohibited from discarding documents that would normally be retained for a longer period of time because they believe that the records might be harmful to any employee or the school. The unauthorized destruction, removal, use, falsification or inappropriate alteration of any record is prohibited.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

**Agora Cyber Charter School  
Records Retention Schedule**

All documents will be eligible for destruction January 1<sup>st</sup> of the year after. For example, if ten years for a document runs from June 1, 2019 until June 1, 2029, the document will be destroyed after January 1, 2030.

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
Accident reports (after settlement)	E & P	May Contain Exempt Information	6
Accounts payable and receivable ledgers and schedules	E & P	Public	6
All correspondence	E & P	May Contain Exempt Information	3
Annual Budget, Reports, Financial and Audit reports	E & P	Public	Permanent Records (never destroyed)
Articles of Incorporation	E & P	Public	Permanent Records (never destroyed)
Audit reports of accountants	E & P	Public	7
Authorization for change or deduction in payroll	E & P	May Contain Exempt Information	3
Bank statements and reconciliation	E & P	Public	6

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in ye
Board and Committee minutes	E & P	Public	Permanent Records (ne destroyed)
Board and Committee Policies	E & P	Public	Permanent Records (ne destroyed)
Bylaws	E & P	Public	Permanent Records (ne destroyed)
Certified financial statements	E & P	Public	Permanent Records (ne destroyed)
Check register	E & P	Public	7
Checks used for important payments (e.g., taxes, property, etc.)	E & P	Public	Permanent Records (ne destroyed)
Contracts and agreements -	E & P	Public	6 after contract termina
Contracts and leases (expired)	E & P	Public	6 after termination
Curriculum Records (not including textbooks)	E & P	Public	3 after last activity
Deeds and titles	E & P	Public	Permanent Records (ne destroyed)
Deposit Slips	E & P	Public	6
Depreciation schedules	E & P	Public	7
Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in ye
Donor contributions	E & P	May Contain Exempt Information	7
Employee contracts	E & P	Public	7 after employment termi
Employee evaluations, job descriptions and insurance records	E & P	May Contain Exempt Information	Permanent Records (ne destroyed)
Employee wage and tax statements (W2)	E & P	May Contain Exempt Information	6 after employment termi
Employee withholding statements	E & P	May Contain Exempt Information	7 after employment termi
Employment applications and related documents for individuals hired	E & P	Public	7 after employment termi
Employment applications for individuals not hired	E & P	Public	3
Employment tax records	E & P	May Contain Exempt Information	7
Ethics Statements of Financial Interest	E & P	May Contain Exempt Information	7

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
End-of-year financial statement	E & P	Public	7
Federal Programs Records (Title I, Title II, Title III, and IDEA)	E & P	May Contain Exempt Information	7
Fixed assets records	E & P	Public	Permanent Records (never destroyed)
Free & Reduced Lunch Program Records	E & P	Public	5
General ledger	E & P	Public	Permanent Records (never destroyed)
Insurance matters: policies, accident reports, fire inspection reports, claims	E & P	May Contain Exempt Information	6 after settlement
Insurance policies/contracts	E & P	May Contain Exempt Information	6 after expiration
Invoices (after payment)	E & P	Public	6
IRS examinations, rulings and comments	E & P	Public	Permanent Records (never destroyed)

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
IRS exemption application and determination letter	E & P	Public	Permanent Records (never destroyed)
Journals	E & P	May Contain Exempt Information	7
Labor agreements or contracts	E & P	Public	Permanent Records (never destroyed)
Leases – Real Estate	E & P	Public	Permanent
Monthly financial reports and statements	E & P	Public	7
Payroll journal sheets	E & P	May Contain Exempt Information	7
Payroll tax report	E & P	May Contain Exempt Information	6
Employee payroll tax reports	E & P	May Contain Exempt Information	7 after employment termination
Pension plan documents	E & P	May Contain Exempt Information	Permanent Records (never destroyed)

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period
Petty cash records	E & P	Public	7
Public Record Requests	E & P	Public	1
Receivable ledger	E & P	Public	7
Records of lawsuits and other claims	E & P	May Contain Exempt Information	Permanent Records (i
Sales invoices	E & P	Public	7
Services contracts (after termination)	E & P	Public	3
State tax exemptions	E & P	Public	Permanent Records (i
Tax and information returns and supporting documents (State and Federal)	E & P	Public	Permanent Records (i
Time cards	E & P	May Contain Exempt Information	7
Trial balances – general ledger	E & P	Public	Permanent Records (i
Worker's compensation claims – from date of employee termination	E & P	May Contain Exempt Information	10
Working papers: accounting and financial reports	E & P	Public	7