

Book: Luzerne Intermediate Unit # 18
Section: 800 Operations
Title: Records Management
Code: 800
First Adopted: November 20, 2002
Last Revised: June 19, 2024
Status: Active



Purpose

The Board recognizes the importance of establishing and maintaining a Records Management Plan that defines responsibilities of Intermediate Unit staff and complies with federal and state laws and regulations.

Authority

The Board shall retain, as a permanent record of the Intermediate Unit, Board minutes, annual auditor's reports and annual financial reports. All other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders, shall be retained by the Intermediate Unit for a period of not less than six (6) years.[\[1\]](#)[\[2\]](#)

All other Intermediate Unit records shall be retained in accordance with state and federal laws and regulations and the Records Management Plan approved by the Board.

The Intermediate Unit shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is forbidden.[\[3\]](#)[\[4\]](#)

Definitions

Electronic Mail (Email) 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 - information, regardless of physical form or characteristics, that documents a transaction or activity of the Intermediate Unit and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the Intermediate Unit. 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.[\[5\]](#)

Records Management Plan - the system implemented by the Intermediate Unit for the **storage**, retention, retrieval, and disposition of all records generated by Intermediate Unit operations.

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

Delegation of Responsibility

Any individual responsible for the collection, maintenance and/or security of records on behalf of the Intermediate Unit shall comply with state and federal laws and regulations, Board policies, Intermediate Unit procedures and the Records Management Plan.

Record Retention Officer

In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Board policy, the Board designates the Director of Policy and Strategic Communications as the Intermediate Unit's Record Retention Officer who shall serve as the chairperson of the Records Management Committee.

The Records Retention Officer 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 Intermediate Unit records.
 - d. Procedures and responsibilities of Intermediate Unit 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 Intermediate Unit's Records Management Plan shall 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 Records Retention Officer, the Executive Director, and all Program Directors.

The Records Management Committee shall meet annually during the June Program Directors Meeting to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.

Guidelines

Records Management Plan

The Intermediate Unit's Records Management Plan shall be the principal means for the storage, retention, retrieval and disposition of manual and electronic records, including emails. 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 Intermediate Unit.
2. Criteria to distinguish records of the Intermediate Unit from the supplemental personal records of individual employees.[\[8\]](#)[\[9\]](#)
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 reduce the risk of a data breach. Such measures shall include encryption or other appropriate security procedures.[\[10\]](#)[\[11\]](#)[\[12\]](#)
5. Data map or flow chart detailing the sources, routes and destinations of electronic records.
6. Procedures and employee(s) 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.[\[12\]](#)

10. Staff positions authorized to access Intermediate Unit 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 Intermediate Unit'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 Intermediate Unit shall store, 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 Intermediate Unit requires that all manual record systems be assessed annually and all vital information be entered into an electronic records system for long-term storage and backup recovery.

The Intermediate Unit 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 Intermediate Unit 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.

Email Records

Email messages, in and of themselves, do not constitute records. Retention and disposition of email messages depend on the function and content of the individual message.

Records on an email system, including messages and attachments, shall be retained and disposed of in accordance with the Intermediate Unit's Records Management Plan.

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

Email records must be maintained in an electronic format, and need not be maintained in a manual form.

For each email considered to be 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.

Service Providers

The Board requires service providers contracted by the Intermediate Unit to create, maintain, retain and dispose of Intermediate Unit records in accordance with the Records Management Plan.[\[13\]](#)

Legal

1. 24 P.S. 518
2. 24 P.S. 914-A
3. 65 P.S. 67.901
4. Pol. 828
5. 65 P.S. 67.102
6. Pol. 801
7. 24 P.S. 433
8. 65 P.S. 67.708
9. 20 U.S.C. 1232g
10. 73 P.S. 2301 et seq
11. Pol. 830
12. Pol. 830.1
13. 65 P.S. 67.506
- 65 P.S. 67.101 et seq
- Federal Rules of Civil Procedure - 16, 26, 34, 37, 45
- Pol. 004
- Pol. 006
- Pol. 105.2
- Pol. 113.4
- Pol. 113.5
- Pol. 114
- Pol. 138
- Pol. 203
- Pol. 203.1
- Pol. 209
- Pol. 212

Pol. 216
Pol. 233
Pol. 314
Pol. 324
Pol. 326
Pol. 334
Pol. 601
Pol. 609
Pol. 610
Pol. 619
Pol. 702
Pol. 706
Pol. 716
Pol. 800.1
Pol. 810
Pol. 810.1
Pol. 912