

TITLE: Records Retention

AUTHOR: Vice President for Finance and Administration

APPROVAL DATE: December 6, 2005

EFFECTIVE DATE: March 1, 2019

PURPOSE: To establish a records retention schedule for University records

REVIEWER AND REVIEW DATE: Record Retention Committee
Fall 2023 and every five years thereafter

OPERATING DETAILS:

Mississippi University for Women (“the University”) seeks to ensure access to past, present, and future public records and preserve vital information generated by the University through an approved records management and retention program utilized across the University. Records management includes techniques such as determining retention periods, providing storage and access to permanent records, and disposal of records through either approved destruction or through transfer to the Beulah Culbertson Archives and Special Collections (“the Archives”) located in Fant Memorial Library.

The Records Retention Policy is designed for the following reasons: 1) to protect the corporate and institutional memory of the University’s activities by caring for University records from their creation through preservation or other disposition; 2) to provide economy and efficiency by relieving the University’s offices and departments of the cost and burden of maintaining valueless records; and 3) to comply with applicable federal law and state law, in particular Mississippi Code Ann. § 25-59-1 et seq., and the related rules and procedures of the Mississippi Department of Archives and History (MDAH) and the State Records Committee.

Definitions:

- a. Agency – Any state office, department, division, board, bureau, commission, institution of higher learning or other separate unit or institution of state government created or established by law.
- b. Inactive records – Records consulted infrequently and are no longer needed to conduct current business.
- c. Public records – All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency or by any

appointed or elected official. Books, periodicals and other published material normally found in a library are excluded from this definition.

- d. Records retention schedule – A set of instructions prescribing how long, where or in what form records shall be kept.
- e. State records – Records which normally are maintained within the custody or control of a state agency or by any appointed or elected state official or any other record which is designated or treated as a state record according to general law.
- f. State records committee – A committee established by Miss. Code Ann. § 25-59-1, et seq. whose duties are to review, approve, disapprove, amend or modify records control schedules submitted by agency heads.
- g. University records – All records created in the course of doing the business of the University; includes public records and state records.

1. **University Records**

Mississippi University for Women is considered to be a Mississippi government agency and therefore is a public body subject to the *Mississippi Public Records Act*, Miss. Code Ann. § 25-61-1.

As a government agency, the University is subject to the Mississippi Archives and Records Management Law of 1981 set forth in Miss. Code Ann. § 25-59-1 et seq. This law authorizes record retention schedules for government agencies in order to preserve records.

All University records are the property of Mississippi University for Women regardless of their physical location, even when they are in the possession of individuals, and as such, may not be permanently removed from the University nor destroyed except in accordance with this policy.

A University record means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials regardless of physical form or characteristics (including electronic records, mail or data) made or received pursuant to law or ordinance or in connection with the transaction of official business by the University.

A University record does not include:

- a. Books, periodicals and other published material normally found in a library;
- b. reference materials, stocks of publications and brochures, quasi-official notices, unsolicited announcements, invitations, or other materials not filed as evidence of office or University operations;

- c. preliminary drafts, work copies or informal notes of finalized documents;
- d. routing slips and telephone call slips;
- e. duplicate copies of official documents kept for convenience or reference;
- f. tapes of transcribed documents;
- g. letters of transmittal that do not alter the transmitted information; and
- h. envelopes, blank forms and templates (stock on hand).

All University records are retained in accordance with all federal and state laws/regulations and this policy.

All University employees are responsible for ensuring that University records are created, used, maintained, preserved and destroyed in accordance with this policy.

No one may deliberately alienate, alter, or falsify any University record.

The unauthorized taking, destruction, removal or use of any University record is prohibited.

2. **Roles and Responsibilities**

The University's Records Retention Policy and its related procedures and records retention schedules will be administered by the Vice President for Finance and Administration through the Dean of Library Services or his/her designee.

Each University academic and administrative unit shall designate a liaison responsible for ensuring compliance with this policy. The liaison is expected to monitor this policy and its related procedures and retention schedules.

3. **Retention of University Records**

Records should be retained, transferred, destroyed, or otherwise disposed of as indicated on a Records Retention Schedule ("Schedule").

A Schedule shall identify all functional groups of records in an office or department and assign a life cycle to their maintenance and disposition. In other words, the Schedule specifies the length of time each type of University record shall be retained. Retention periods reflect the legal, administrative, fiscal, and historical value of the information in a record.

Schedules must be initially prepared by or submitted to Fant Memorial Library so that records may be appraised for their informational value and Schedules can be prepared for submission to the State Records Committee and the MDAH for review

and approval and in accordance with MDAH rules and procedures.

Fant Memorial Library shall create and use a standard form for transmitting all Schedules listing and describing approved retention periods applicable to all University academic and administrative units, offices, and departments. Fant Memorial Library shall also retain a centralized copy of all such Schedules and related transmittals and communications received from MDAH.

In consultation with legal counsel and appropriate University parties, and in accordance with MDAH rules and procedures, Fant Memorial Library may directly issue General Schedules regarding frequent, normal disposal of certain routine internal records and copies of records common to many University offices and departments.

Fant Memorial Library will provide offices and departments with written notice of approval or modification of any Schedule.

All offices and departments should regularly (i.e., at least annually) use and monitor their approved Schedules. Schedules may be amended, added to, or otherwise changed by contacting Fant Memorial Library.

University records are to be reviewed periodically to determine if they are active or inactive. Inactive records are those records consulted infrequently and are no longer needed to conduct current business. University records that are no longer active will be reviewed and assessed for transfer to the Archives or destruction in accordance with the Schedule.

Each department/college shall determine the best method of storage for both active and inactive University records. In all cases, however, University records are to be stored in appropriately secured areas.

For those inactive University records of long-term value that require continued retention or preservation, the Archives provides some services:

- a. Storage and reference assistance for permanent and/or vital records;
- b. Assistance to University offices and departments with special records needs, including consultations regarding proposed storage locations and facilities.

4. **Disposal of University Records**

Upon receiving the first written notice of approved Schedules, the department head or its liaison should perform a review to determine the value or usefulness of departmental records. During this review, the department head or its liaison should identify and designate the records with lapsed retention periods that are no longer useful for disposal, destruction, or transfer to the Archives.

When the retention period for a particular University record (regardless of storage medium) expires, as specified in the Schedule, the University records may be destroyed in accordance with this policy.

Records must be destroyed in a manner that ensures confidentiality and renders the information no longer recognizable as a University record. Approved methods of destroyed University records include, but are not limited to, shredding, burning, pulping, pulverizing, and magnetizing. University records cannot be placed in trash receptacles unless the University records are rendered no longer recognizable as a University record.

Exiting or transferring employees must turn over all records to their successors and/or manager. Managers should remind employees who are about to transfer to another department or leave University employment of this fact.

5. Disposal of Paper Records After Transfer to Other Media

Compact storage methods, such as copying or converting paper copies to digital images, provide a space saving and often cost efficient means of storing records originally in paper form. Extreme care should be taken when transferring information to an alternate electronic storage medium or converting documents to any other automated records processing system.

The stored electronic documents must be retained for the minimum retention period under the Schedule.

Upon converting paper documents to a stored electronic medium, the original paper records may be destroyed provided the following are met:

- a. The digital or stored electronic document accurately copies, creates, or recreates the original record; and
- b. The digital or stored electronic document can be produced in easily readable form throughout the retention period required by the Schedule.

6. Litigation and Other Exceptions to Retention Schedule

Regardless of the particular Records Retention Schedule, any University record or other document (whether hard copy or electronic) that is relevant or potentially relevant to pending litigation or to any matter that is reasonably likely to result in litigation must be retained until such litigation or potential litigation is fully and finally resolved or closed. The University Counsel will distribute a memorandum to all appropriate personnel when litigation commences or is imminent, advising of the pendency of an action, the subject of the action and the designation of University Records to be maintained outside the specified retention period. Records subject to such notice are to be retained until notice has been received from University Counsel authorizing disposal.

Regardless of the particular Records Retention Schedule, any University record or other document (whether hard copy or electronic) that is relevant or potentially relevant to any pending government investigation, survey, or inquiry or to any matter that is reasonably likely to result in a government investigation, survey or inquiry must be retained until such investigation, survey or inquiry is fully and finally resolved or closed.

7. **Further Guidance on Record Retention**

All questions or concerns concerning this policy should be directed to the University Archivist or the Dean of Library Services or her/his designee.

Reviewed: 11/14/08, 3/2/14
Revised: 3/1/2019