University Archives & Records Management

Records Management Program

Procedures for University Units and Personnel

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Records Management Program
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1   Introduction

1.1   INTRODUCTION

This manual serves several purposes. It replaces the original Records Management Manual – portions of which were written decades ago – with an updated and more comprehensive document. It serves as a training and education aid for records management contacts and all university personnel involved with recordkeeping activities. Finally, it should help makes the university's records management practices more consistent and streamlined.

1.2   MISSION STATEMENT

UARM is the official repository for university records that hold historical, legal, fiscal, or administrative value. The primary mission of UARM is to 1) identify, acquire, preserve, arrange, describe, and provide access to records that document the history of the University of Delaware, its constituent organizational units, its predecessor institutions, and the activities of its officers, faculty, employees, students, and alumni, and 2) to support the administrative, business, and operational needs of the university with regards to the management, use, and disposition of its records. To achieve those ends, UARM is comprised of two distinct yet complementary programs: the Archives Program and the Records Management Program.

The purpose of the Archives Program is 1) to manage, safeguard, and preserve collections of historical records and objects pertaining to the history of the University of Delaware and its predecessor institutions, 2) to provide access to those collections for researchers from within and outside of the university, and 3) to disseminate knowledge about the history of the university and its predecessor institutions.

The purpose of the Records Management Program is 1) to establish procedures and guidelines for the management and disposition of the university's records by individual units, departments, and offices, 2) to create – in cooperation with university units, departments, and offices – retention schedules for use in managing the university's records, 3) to identify vital records necessary for the continuous operation of the university or the recovery of operations in the event of an emergency, 4) to audit and measure compliance with records retention schedules, policy, and procedures by university units, departments, and offices, 5) to administer and coordinate physical records storage and destruction activities, and 6) to administer and coordinate digital records management activities.

1.3   PRELIMINARY NOTE

This manual was written in 2021 and 2022, at a time when the Records Management Program was and continues to undergo substantial change and modernization. Specifically, a new university wide archives and records management policy is being developed and reviewed, and work on a new comprehensive university records retention schedule is planned. In light of this, several portions of this document will be subject to significant and perhaps sudden change, which will be communicated to records management contacts as best as possible. It was felt important to provide a new version of the guidance for how the Records Management Program currently operates and intersects with the work of the university and its personnel even if those changes may occur in the relative near future.

2   Basic records management definitions

2.1   DEFINITIONS

Note: many of these definitions were taken directly from or are modified from definitions found in *Records and Information Management* (Patricia Franks, 2013) and *A Glossary of Archival and Records Terminology* (Richard Pearce-Moses, 2005).

Active record

Records created and used by units and personnel to conduct the contemporary business of the university, prior to their being reclassified as inactive records.

Audit

A periodic review and examination of records and recordkeeping activities to determine compliance with established policies, procedures, and records retention schedules.

Contact

A contact, also known as a records management contact, is a university employee designated by his or her unit to represent that unit with regard to its records management activities, such as maintenance of the records retention schedule, requesting boxes of records from storage, and reviewing records for release or destruction.

Container list

A document that indicates the range of materials in each box in a collection. Ideally, it should list each series and file contained within a given box of records.

Copy of record

Copy of record is defined as the single version of a document, often the original, designated as the official copy for reference and preservation.

Custodial unit

The designated unit, as identified in the records retention schedule, responsible for management, retention, release, and authorization for destruction of university records under its jurisdiction. It is not always the unit of origin for records that it manages, which may be transferred from unit to unit.

Destruction

The disposal process that results in the obliteration of records beyond reconstruction. Destruction includes the deletion of, obliteration of, and rendering unrecoverable electronic records, data, or information.

Disposition

The process of final destruction or release of records to UARM. Disposition marks the point of transition for records from the Records Management Program to the Archives Program.

Educational record

Records that are related directly to students' individual academic activities and maintained by the university, with exception of the following categories: 1) alumni records, 2) employment records, 3) health records, 4) law enforcement unit records, 5) peer-graded records, 6) psychological records, and 7) sole possession records. See university policy *Family Educational Rights and Privacy Act (FERPA) Policy (Legacy Policy #4-20)* for additional information on educational records and definitions of these types of records.

FOIA request

Requests made by members of the public for access to university records as set forth in the Freedom of Information Act, the

Delaware Freedom of Information Act (*29 Del. C. §100*), and/or University policy. See university policy *Access to Public Records under the Delaware Freedom of Information Act (Legacy Policy #3-30)* for additional information on FOIA requests.

Historical record

Records acquired by UARM through donation or release from the Records Management Program, and which over time are incorporated into its archival collections and made available to researchers for use.

Inactive record

Records that no longer hold contemporary business value to the university and have reached the end of their retention cycle. Inactive records are those records eligible for disposition, either through release or destruction.

Public record

Records to which members of the public have full and unrestricted access, as set forth in *29 Del. C. §10002* and university policy.

Record

Recorded information that documents transactions or activities by or with any officer, employee, or unit of the University of Delaware. Regardless of physical form or characteristic, the recorded information is a university record if it is produced, collected, received, or retained in pursuance of law or in connection with the transaction of university business. The medium upon which such information is recorded has no bearing on the determination of whether the recording constitutes a university record.

Records management

The systematic and administrative control of records throughout their life cycle to ensure efficiency and economy in their creation, use, handling, control, maintenance, and disposition.

Records retention schedule

A document that identifies and describes an organization's records, usually at the series level, and provides instructions for the disposition of records throughout their life cycle.

Release

The disposition of records through discharge from their custodial units and transfer to UARM for review and potential inclusion within its historical collections.

Retention period

The length of time that records should be kept in a certain location or form for administrative, legal, fiscal, historical, or other purposes.

Series

A group of similar records that are arranged according to a filing system and that are related as the result of being created, received, or used in the same activity.

Subpoena

Within the context of records management, a subpoena is a writ or court order compelling an organization to produce evidence in the form of records and data for use in a civil or criminal legal proceeding.

Vital record

Records necessary to begin recovery of business after a disaster, as well as those rights-and-interest records necessary to protect the assets and resources of the organization, its employees, and its students.

3　　　Introduction to records management

3.1　　RECORDS MANAGEMENT

A formal definition of records management is provided in the preceding section. In its simplest terms, records management refers to the administration of the university's records through their life cycle from creation to final disposition. Records are created or collected by university units to conduct their work, they are classified and controlled by various filing mechanisms in accordance with a records retention schedule provides rules for this work, they are secured and stored for differing lengths of time and recalled for use as needed, and finally they are destroyed or released to UARM for historical purposes. From the perspective of a university employee – essentially a client using the services of UARM – this unit is a partner to enable good records management practices, which in turn enhances the efficiency and productivity of the university workforce.

3.2　　BENEFITS OF GOOD RECORDS MANAGEMENT

There are many benefits to be derived from good records management practices and policies, such as the following:

- Improved knowledge of what constitutes a university record and what does not, thus enhancing the understanding of precisely which records should be collected and retained

- Increased workspace due to destruction of obsolete records and offsite storage of active records, leading to cost-savings in the utilization of office space

- Increased reliability, accuracy, and speed in retrieving and utilizing needed records, thus increasing workplace efficiency and productivity

- Improved compliance with Federal and state legal and regulatory requirements and university policies

- Reduced risk of adverse legal or regulatory actions caused by not keeping identified records for sufficient time or keeping other records for too great a period of time

- Preservation of appropriate records for historical purposes

3.3　　ELECTRONIC RECORDS MANAGEMENT

Records management developed in the last century in an environment of paper and other physical records such as microfilm and microfiche. In many ways, its practices and terminology reflect vestiges of this legacy. However, the modern workplace is dominated by the use of electronic records; it is now a paper-sparse environment at most.

Electronic records management is discussed at several points in the following text. However, for a consolidated perspective on this topic, refer to the "Digital Records Management" document contained in Appendix 9.1.

4   University records retention schedules

4.1   RECORDS RETENTION SCHEDULES

4.1.1   The records retention schedule

A records retention schedule is defined as a document that identifies and describes the university's records at the series level and provides instructions for the administration of those records throughout their life cycle. Each university unit generally possesses a single records retention schedule, and all of those schedules taken together are considered the university records retention schedule.

The records retention schedule details retention requirements and guidelines for a unit's documents, information, and records, which are categorized into distinct records series based upon the business activities that they reflect. Furthermore, it contains information on what happens to those records during their life cycle, that is, from when they are created to when they are no longer used as active business records. Additional data concerning whether the records are considered vital records of the university necessary for its operations, whether the records are copy or non-copy records, and legal requirements affecting the retention of the records is included as appropriate.

Different enterprises, agencies, institutions, and universities construct their records retention schedules in different ways. Sometimes a college will devise a single document in the form of a large chart that lists records retention information for the entire entity. Other times, a university may create individual records retention schedules for the different constituent departments and offices that comprise that entity. The latter method is used to construct the records retention schedule at the University of Delaware. In doing so, a greater degree of customization for differences in departmental business practices is accommodated. This reflects a structural rather than a functional approach.

Copies of individual unit records retention schedules may be obtained by contacting UARM. At this time, they are not available online.

4.1.2   Records series

A records series is defined as a group of similar records that are arranged according to the retention schedule and that are related as a result of being created, received, or used in the same activity. Records series often reflect different business functions performed by a university unit. Records retention schedules are comprised of any number of distinct records series.

Essentially, records series are the building blocks of the records retention schedules …

4.1.3   Creation of new records retention schedules

Under ideal circumstances, new records retention schedules are created shortly after a new unit is created. Because UARM staff is not always informed of the creation of new units, those units lacking retention schedules should contact UARM as soon as possible so that one may be developed and implemented.

When a new schedule is created, UARM staff meet with the designated records management contact and any other necessary personnel from the unit, who are responsible for providing information about the records that they create and receive in the course of their work. This information should be as complete and robust as possible, including data about types of records as they correspond to individual business functions, volume of records and storage needs, applicable legal and regulatory requirements, confidentiality and security issues, and records required for emergency response and disaster recovery. UARM staff then will take this information and apply its knowledge concerning common types of records series, legal research, and retention periods to develop a draft schedule. Once that draft is reviewed and mutually approved by the unit and UARM, the retention schedule information is entered into a UARM database and the schedule is considered active.

Units possessing an active retention schedule then may conduct records management activities such as transferring records for storage or destruction. Records cannot be accepted for storage if a retention schedule for a unit does not exist, or if the series for the records is not included within that schedule.

Records series may encompass either physical or electronic records, or both as needed.

4.1.4 **Revision of existing records retention schedules**

The process for revising existing records retention schedules is similar to that for creating retention schedules. When a unit believes that a change to a particular records series or number of series is necessary or beneficial, the records management contact places a request with UARM, with explanations for why the changes are requested. UARM reviews this information and adjusts the schedule as appropriate, which then is adopted when mutually agreed upon by the unit and UARM.

Several different types of retention schedule changes are possible, such as the following:

- Changes to the name of the records series

- Changes to the retention period of the records series

- Changes to the legal requirements applicable to the records series

- Changes to the vital records status of the records series

- Changes to the explanatory notes for the records series

- Addition of new records series

- Deletion of defunct records series

- Combinations of existing records series

Alterations to records retention schedules may occur at any time, either on the initiative of the custodial unit or UARM, or during an audit conducted by UARM. The exception to this is that records series to which litigation holds have been applied may not be changed or deleted until the holds are lifted.

Records series may not be deleted if boxes of records governed by it are stored with UARM. Once retention for those records fully expires and the boxes are removed from storage, the series can be deleted.

4.2   RETENTION AND DISPOSITION

4.2.1   Records retention

Records retention simply refers to how long records are kept. This usually is measured in years from a specified date. For example, records may be kept for five years from when they are created. Retention also can be triggered by specific actions and dates associated with them. So, it is possible to have a retention of "four years from the closeout of a grant-funded project" or "seven years from the graduation of a student."

Retention refers to the total time for which records are retained as active records of the University. Since records may be stored in university units and/or by UARM, it is important to remember that retention reflects the total of that time. For example, records may be stored by a department for five years, then stored by UARM for an additional five years for a total retention period of ten years.

How the retention of university records is determined can be a complex task. A variety of internal and external factors must be considered, the most important of which are legal/regulatory requirements, business/operational needs, and preservation of records of historical importance.

4.2.2   Records disposition

Records disposition refers to the final manner in which records are dealt when they no longer serve their purpose as active business records of the university. Disposition follows one of two paths: records destruction or release of records to UARM for historic preservation.

It is vitally important to remember that disposition should be practiced in a consistent, defensible manner. This means that university records should not be destroyed prior to the end of their applicable retention periods without compelling justification, or retained for lengths of time after the expiration of those retention periods without similar justification.

4.3   VITAL RECORDS IDENTIFICATION

University records may be designated as vital if they are necessary for the recovery of the institution in the event of an emergency, and especially those rights-and-interest records used to protect its assets, workforce, and students. Generally, this only applies to very high-level records and data systems. Examples of vital records are payroll records, insurance records, high-level commercial contracts and agreements, procurement systems, etc. Identification of records as vital within the records retention schedules helps university administration understand which records are needed under emergency circumstances, as well as helping UARM in understanding special storage precautions and records location information.

If a custodial unit believes that a records series should be designated as vital, it requests this change from UARM, which then will examine the issues and make a determination in conjunction with university administration as necessary.

4.4   LEGAL AND REGULATORY RETENTION REQUIREMENTS

The legal and regulatory requirements and guidelines that govern how records are administered, and especially the periods of time and conditions for which retention is defined, can be very complex and even contradictory. Understanding of these requirements and formalizing them within the records retention schedule generally is obtained through information provided by the custodial unit, from research conducted by UARM, and from the Office of General Counsel or other sectors of university administration as may be appropriate.

When gathering information about pertinent legal and regulatory requirements, units should understand that these may affect not only the duration of retention, but also the conditions of retention. In particular, units should pay close attention to information about the following items:

- Duration of retention

- Format of the records (physical or electronic)

- Manner of storage

- Manner of disposition

- Access to records by authorized users (internal and external to the university)

- Security requirements, especially for electronic records

- Reporting requirements (internal and external to the university)

University units are encouraged to contact the Office of General Counsel for guidance prior to requesting series changes if they believe that legal and regulatory issues are pertinent to the matter.

4.5   COPIES OF RECORD

Copies of record can be a difficult records management concept to understand. The term refers to the single version of a record, such as but not always the original version of that record, which is designated as the official copy for reference and preservation. Custodial units generally are those that are responsible for retention of copies of record, but those records may pass from unit to unit as needed.

An example is a student's transcript. The copies of record for transcripts are retained and administered by the University Registrar. However, many university units retain copies of transcripts for their operational needs. These versions collected and used by those other units are not considered copies of record and those units ultimately are not responsible for their retention as is required of the custodial unit. However, they are responsible for complying with the university's mandates and policies regarding information security and disposition of records as applicable to the content of those non-record copies.

Where the concept of copies of record is important is in legal proceedings and audits conducted by external parties and agencies. In many of those instances, non-record copies are insufficient for use as evidence.

5   Records storage

5.1   PLACING RECORDS INTO STORAGE

5.1.1   **Type of boxes used for records storage**

Because records may be stored for lengthy periods of time in warehouses where boxes are stacked four to six rows high, stronger and higher quality boxes must be used to store university records. The standard type of box currently accepted for storing university records is the ARCHIVE BOX WITH LID (item number FPC8003637) currently stocked and sold by W. B. Mason through the Blue Hen Market purchasing system. This is a 1.2 cubic foot volume box constructed of extra strength plain brown cardboard; there are no external markings on the sides of the box.

Archive box with lid, FPC8003637

Do not use other boxes for the storage of university records, including the following:

- Bankers' boxes (of any type)

- Copier paper boxes

- Moving boxes

- Check boxes

Records packed in these boxes will be returned immediately to the custodial unit for repacking.

If storage for oversized records such as blueprints, posters, ledgers, and other large format items is needed, contact UARM staff for additional guidance.

5.1.2   **Items accepted for storage**

The following items may be placed into storage with UARM:

- Paper records

- Photographic records

- Portable digital media devices (hard drives, flash drives, etc.)

- Audiovisual storage devices (cassette tapes, DVDs, VHS tapes, etc.)

- Microfilm and microfiche records

- Blueprints and architectural drawings

The following items may not be placed into storage with UARM:

- Office supplies

- Books and libraries

- Personal, non-work related files, records, and items

- Collections of journal article offprints

- Pornographic material

- Scientific and computing apparatus and hardware

- Biological or taxidermized specimens

- Chemicals, explosives, or munitions

- Artwork and sculpture

- Pharmaceuticals and medicines

- Records contained within hanging files

UARM reserves the right to refuse to store any records or materials it deems unsuitable for storage for whatever reason. Ideally, whatever records are stored for a university unit are reflected as such on the retention schedule for that unit. Units should not send records to UARM for storage for records series that are not listed as available to store for that unit.

5.1.3   **Packing records storage boxes**

Optimally, a single records box contains records for no more than one or two records series. However, multiple series can be accommodated within the same box provided that markers are inserted to delineate which records belong to which series. Never combine records from multiple retention schedules within the same records storage box.

The arrangement of files within a records storage box is at the discretion of the custodial unit. Files may be arranged alphabetically, numerically, or using designations and order created by the unit. What is important is that this order is reflected accurately on the container list that corresponds to the box. If UARM staff cannot determine a box's contents accurately, it may be returned for repacking. Contact UARM staff if assistance is needed to create filing schema.

It is imperative that the boxes of records sent to UARM for storage be closed flat with a lid and sealed. To that end, do not place items in the boxes such that they cannot be closed and sealed; if an object sticks above the top of the box, then repack the box or contact UARM staff about oversized item storage.

Do not store binders standing on end in a records box; it is acceptable to lay them flat within a box provided the box can be closed and sealed. Never send boxes for storage containing hanging files; the boxes cannot be closed and they will be returned immediately to the custodial unit for repacking.

It is recommended to leave a few inches of space in each box for the future addition of files and records.

5.1.4 Assignment of box numbers

Boxes of university records must be assigned unique numbers by UARM before they are placed into storage. This typically is a five-digit number assigned to each individual box. Never reuse previously issued or used box numbers; always obtain new numbers.

When boxes are prepared for transfer to storage, contact UARM for the box numbers. Boxes are assigned to a single records retention schedule and one or more records series. Write the numbers on the front sides of each box in black marker. It is unnecessary to write any other information on the box itself, just the box number.

Boxes must have received box numbers prior to transfer to UARM for storage. Unnumbered boxes will be returned to their custodial units.

5.1.5 Container lists

A container list simply is a document that describes the contents of an individual records storage box. There should be one container list associated with each box and it should reflect the actual current contents of that box (not the past or intended future contents).

There is no set format for creating a container list; it should be clear enough to enable any user to quickly locate a file within the box. The best and easiest method for doing this is to list the files contained within the box in the order in which they are stored. For example, if the files are for individuals and the files are placed into the box in alphabetical order by last name, the container list ideally would list each individual and file in that order. Alternatively, if the files are arranged by quarters of a fiscal year, then the container list should reflect this in a chronological list of fiscal year quarters.

It is extremely important to list the records schedule and series information to which the described records belong on each container list, otherwise UARM staff will not know how to file the lists and apply retention data to the box. A container list must be placed within each box sent to UARM for storage, and additionally must be sent by email to UARM.

A form that can be used to create and submit container lists may be found online at the UARM website at https://sites.udel.edu/uarm/transfer-of-records-to-university-records-center/.

5.2 RETRIEVAL OF RECORDS FROM STORAGE

5.2.1 Retrieval of records from storage

To retrieve records from storage, contact UARM staff to arrange for their transportation from offsite storage to campus. When the records are available, UARM staff will contact the requesting unit to inform them. It is necessary to know the box numbers for the boxes of records that need to be retrieved.

Generally, records are available on a next-business day basis provided that the request is received by UARM no later than 3:00 PM. Emergency requests with a same day, two-hour turnaround time can be accommodated at UARM discretion.

5.2.2 Transportation of records

Individual files and boxes of records may be picked up and returned in person at UARM's facilities in Pearson Hall. UARM staff does not deliver or pick up records.

Individual files and boxes of records may be transported by Campus Delivery free of charge provided that the quantity of packages or boxes is five or less. For quantities greater than five, Campus Movers must be used and expense is incurred. Use the "Request for Service – Campus Delivery" webform for Campus Delivery requests and the "Request for Service – Facilities" webform for Campus Movers requests.

Once new boxes are prepared for delivery to UARM for storage, obtain the appropriate delivery sticker (pictured here) to be affixed to each box; a webform on the UARM website is available for this purpose. Refrain from sending new boxes for storage with boxes containing records to be destroyed. As with the transportation of records retrieved from storage, Campus Delivery or Campus Movers may be utilized (see above).

6   Records disposition, destruction, and release

6.1   RECORDS DISPOSITION

6.1.1   Records disposition

Records disposition simply refers to the decision that must occur when university records reach the end of their specified retention period. When retention ends, records should be destroyed or released to UARM for inclusion into its collections of historical records. In select cases, retention may be extended for a defined period of time. This decision must be applied regardless of where the records are stored or the format in which they are stored. Retention rules apply if the records are stored in units or in storage with UARM, or if the records are physical or electronic.

6.1.2   Tracking retention of records

Retention of records is tracked by one of two parties: the unit retaining the records or UARM when records are placed into storage. For records stored in-house by the custodial unit and not sent to UARM for storage, retention must be tracked according to the records retention schedule in whatever way necessary by that unit. It is not the responsibility of UARM to notify those units that retention has expired for its records. Note that this extends to all electronic records, retention of which are not tracked by UARM; it is incumbent on the custodial unit to delete electronic records and data insofar as it is capable once retention ends.

For university records stored with UARM, that unit enters the box retention data into its database and tracks retention. UARM will notify the custodial unit when retention expires and request that a disposition decision be made at that time. It is important that this decision be made in a timely manner, as the university continues to pay storage costs for those boxes of records under review and unnecessary retention of records can place the university at legal risk.

6.2   RECORDS DESTRUCTION

6.2.1   Records destruction

Records sent to UARM for destruction are destroyed by a variety of means depending on their format. Paper and photographic records are sent to a vendor to be shredded and pulped for recycling. Cassette tapes, reel to reel tapes and films, VHS tapes, microfilm, flash drives, SD and micro-SD cards, and certain special items like x-ray films and spools from card printers also are sent to a vendor for pulverization. Microfiche, magnetic cards, CDs, DVDs, Zip disks, and floppy disks of all sizes are shredded in-house by UARM. Hard drives and computing equipment are not disposed of by UARM but must be sent to Procurement Services using the appropriate webform.

6.2.2   Destruction of paper records

Paper records to be destroyed must be delivered to UARM in sealed boxes not exceeding the size of a standard copier paper box. Any box is acceptable so long as it is no greater in volume than

that, is not so deteriorated that the contents of the box are exposed, and has a lid and is sealed with some sort of adhesive tape. When sending boxes to be destroyed, do not send them in the same order with boxes to be stored.

Do not include non-paper items of any sort within boxes of paper records to be destroyed. This especially includes metal hanging folders, 3-ring binders, and non-paper electronic media, such as tapes and disks.

When preparing boxes of paper records to be delivered for destruction, request from UARM the appropriate delivery sticker (pictured here) to be affixed to each box; a webform on the UARM website is available for this purpose. This helps to identify which boxes are intended for storage and which are intended for destruction.

6.2.3   **Destruction authorization memoranda**

When – and only when – physical records are stored with UARM, the custodial units will be informed when retention for those records expires. This is accomplished through the use of disposition authorization memoranda. Upon retention expiration and for records that are to be destroyed, UARM will send a destruction authorization memorandum to the custodial unit requesting that it make a disposition decision with regard to those records. The disposition choices are as follows:

- Destruction of the records

- Request to review the records prior to destruction

- Request to extend retention of the records

The records contact must select one of these options and return the memo to UARM, which then will conduct the appropriate action.

If destruction of records is selected, the boxes will be withdrawn from storage, but not sent to the custodial unit for any review. UARM will verify that the correct boxes will be destroyed, but will not conduct any more specific or detailed review.

If request to review records is selected, the boxes will be sent to the custodial unit for review with the expectation that this review is completed in a timely manner, preferably less than sixty days. Once the review is completed, the unit will return the boxes to UARM with instructions for their disposition. The unit is responsible for creating new container lists for boxes in which the contents were changed, such as if selected files are removed.

If request to extend retention is selected, the custodial unit may or may not review the boxes of records but will specify a set period of time by which retention should be extended. Units must supply a reason for requesting a retention extension, which may be for any of the following:

- Applicable legal action or order that halts destruction of those records, upon guidance received from the Office of General Counsel

- Changes to legal or regulatory requirements affecting the retention of the records

- Use of the records in an ongoing external or internal audit

- Continuous, persistent use of the records for the work of the unit, as mutually defined by UARM, the unit, and university administration as may be appropriate

Very few reasons outside of those listed above will be considered with regard to extending retention for university records scheduled to be destroyed. Requests for permanent or indefinite retention will not be honored except in the most unique of circumstances. Retention of records beyond their retention period creates a cost burden for the university and creates legal risks for it.

6.2.4   Destruction of paper records by units

University units are not restricted from destroying paper records in-house. Use of a suitable paper shredder is recommended if this is done.

For records governed by the university records retention schedule, custodial units should complete the notification of the destruction of university records webform on the UARM website to indicate that those records were destroyed when retention expired (https://sites.udel.edu/uarm/notification-of-the-destruction-of-university-records/).

In select cases, usually based on the volume of records to be destroyed or the high sensitivity of those records, UARM will work with its records management vendor to arrange for portable shred bins to be placed within those units' offices and facilities. Contact UARM for additional information on this.

6.2.5   Deletion of electronic records and data

It is the explicit responsibility of university units to manage their own electronic records and data, in conjunction with university Information Technologies as appropriate. There exists no mechanism for UARM to track the retention of individual unit's digital recordkeeping. However, guidance and rules for the retention are provided within the records retention schedule wherever possible.

Retention is agnostic in the sense that the format of the records does not or should not affect disposition when their retention period expires. Paper and electronic records ideally should be destroyed or deleted on the same timeline according to the schedule. Deletion of data from university-wide information systems may be difficult, and Information Technologies should be contacted for any problems in this regard.

6.2.6   Litigation holds

Litigation holds are the action taken to halt the destruction or deletion of university records because of anticipated, pending, or active litigation in which the university is involved. Generally, information about litigation holds is communicated to university units and personnel from the Office of General Counsel, not UARM. However, if UARM has knowledge of a litigation hold, it will take the appropriate course of action, even if the unit previously approved the destruction of the affected records.

It is important to understand that destruction or deletion of related records pertains not only to situations in which litigation actively is being conducted, but also in situations when litigation may

reasonably be understood to be anticipated or impending. For guidance in these situations, contact the Office of General Counsel. These applies equally to records sent to UARM for destruction and records to be destroyed or deleted within the custodial unit.

6.3   RECORDS RELEASE

6.3.1   **Records release**

Records release simply refers to the transfer of records from the administrative control of the custodial unit for those records to UARM for review and possible inclusion within its historical collections. It is not the same as records destruction, although some records may be weeded from released records due to a lack of historical content. Records release is the process whereby university records pass from being active records – those actively used by university units and personnel to conduct their work – to inactive records – those for which retention expired and that are held by UARM for archival appraisal and processing. This is a critically important step, as it is the primary means by which UARM builds the collections that document the university's history.

UARM always should be consulted before potentially historical material is discarded or destroyed. There is no expectation that university personnel "act as archivists," in the sense of making professional judgments about the historical content and importance of university records, but rather that UARM should be the arbiter of these decisions.

6.3.2   **Release authorization memoranda**

Release authorization memoranda operate in similar fashion to their destruction counterparts. Again, when – and only when – physical records are stored with UARM, the custodial units will be informed when retention for those records expires through use of disposition authorization memoranda. Upon retention expiration for records that are to be released, UARM will send a release authorization memorandum to the unit requesting that it make a disposition decision with regard to those records. The disposition choices are as follows:

- Release of the records

- Request to review the records prior to release

- Request to extend retention of the records

The records contact must select one of these options and return the memo to UARM, which then will conduct the appropriate action.

If release of records is selected, the boxes will be withdrawn from storage, but not sent to the custodial unit for any review. UARM will verify that the correct boxes are being released and will repack and renumber the boxes to await further archival appraisal and processing as historical records. At this point in time, the records pass from active to inactive status, and administrative custody of the records passes from the custodial unit to UARM. Those units may continue to access these inactive records, but they must do so within UARM's facilities and they may not destroy or withdraw any of the records.

If request to review is selected, the boxes will be sent to the custodial unit for review with the expectation that this review is completed in a timely manner, preferably less than sixty days. Once the review is completed, the unit will return the boxes to UARM with instructions for their disposition.

Removal and destruction of records to be released is discouraged strongly, as the purpose of releasing the records is to build UARM's historical collections and these actions undermine that process.

If request to extend retention is selected, the custodial unit may or may not review the boxes of records but will specify a set period of time by which retention should be extended. Units must supply a reason for requesting a retention extension, which may be for any of the following:

- Applicable legal action or order that halts destruction of those records, upon guidance received from the Office of General Counsel

- Changes to legal or regulatory requirements affecting the retention of the records

- Use of the records in an ongoing external or internal audit

- Continuous, persistent use of the records for the work of the unit, as mutually defined by UARM, the unit, and university administration as may be appropriate

Very few reasons outside of those listed above will be considered with regard to extending retention for university records scheduled to be released. Requests for permanent or indefinite retention will not be honored except in the most unique of circumstances.

6.3.3   **Release of records by units**

Records not stored with UARM may be released directly to UARM by their custodial units. This includes both physical and electronic records. An example of this sort of situation is when a storage closet is examined and found to contain potentially historical records that should be transferred to UARM for appraisal, or when unit personnel separate from the university and leave behind records that should be investigated. In these circumstances, the unit should contact UARM for further transfer instructions.

7   Records management compliance

7.1   COMPLIANCE

Records management compliance means adherence to the records management policies of the university and the rules and guidance set forth within the university records retention schedule. Policies may be found on the website for the Office of General Counsel. It is the responsibility of all university personnel to understand and follow these policies.

Measurement of compliance with the records management policies of the university and the university records retention schedule is measured through the use of audits. The idea here is not necessarily to set up punitive situations, but rather to understand how units work with these structures and ways to make that work more efficient, secure, cost-effective, and beneficial to the university as a whole. Legal and regulatory requirements should be included within the records retention schedule beforehand, so compliance with the schedule is interpreted to mean compliance with those requirements. Other university units – in particular the Office of General Counsel, Internal Audit, and the Research Office – also may choose to apply additional metrics to measure recordkeeping compliance for specific areas of concern as may be appropriate; this may occur within or outside the UARM records management audit process.

7.2   AUDITS

Formerly, records management audits were conducted by UARM staff on an annual basis. Audits now are conducted on an *ad hoc* basis. Audits are intended to measure compliance with the unit's records retention schedule and to discuss any modifications to that schedule that may be necessary.

When a unit is scheduled for a records management audit, it will be notified in writing sixty days prior to the intended date of the audit. A UARM staff member will meet with the unit's records management contact and any other unit staff believed necessary to participate in the audit, especially for large units where recordkeeping activities are distributed among a number of personnel. The UARM representative will review the applicable records retention schedule and assess the unit's responses for compliance with that schedule. If changes or modifications are necessary to the schedule, they may be discussed during the audit; however, it is not required that those actions be confined only to the audit process. Outstanding destruction and release memoranda also will be reviewed.

Compliance information may be supplied to university administration as needed or appropriate.

8   External records requests

8.1   EXTERNAL ACCESS TO UNIVERSITY RECORDS

8.1.1   External access to university records

Generally, external access to university records is defined as access granted by the university to an external party to review these records. This includes public access to the open records of the university, but also encompasses subpoenas or other legal discovery orders, external auditor requests, requests from law enforcement agencies conducting investigations, or media requests.

University units and personnel should exercise the utmost prudence and discretion with all external records requests, especially from unknown parties. Whenever any doubt exists regarding the validity or applicability of a claim to request access to university records, the Office of General Counsel or UARM should be consulted.

8.1.2   Public and confidential records

Federal and state laws concerning the freedom of information structure the degree of access that the general public has to university records, either upon demand or through a FOIA request. For specific guidance on the applicability and details of FOIA legislation, contact the Office of General Counsel.

The following rubric provides a sense of which university records are considered public or confidential:

Type of record	Public access
Active university records	Considered confidential information; no public access unless granted through successful FOIA request or permission extended by university administration
Inactive university records	Considered confidential information; no public access unless granted through successful FOIA request or permission extended by university administration; sealed by UARM for 25 years prior to incorporation into collections of historical records
Historical university records	Open to the public with exceptions for health information or temporary donor restrictions
Employment records	Considered confidential information; no public access unless granted through successful FOIA request or permission extended by university administration; if transferred to UARM for historical purposes, sealed for 50 years from separation of the employee or the death of the

	records' subject, whichever period of time is known to be longer
Health records	Considered confidential information; no public access unless permission extended by university administration; sealed permanently by UARM within historical records
Academic records	Considered confidential information; no public access unless permission extended by the records' subject; if transferred to UARM for historical purposes, sealed for 75 years form the student's separation from the university of the death of the records' subject, whichever period of time is known to be longer; pertains only to individual student educational records, not to records of student activity groups and organizations, which are open to public access when they become historical records
Records of the Board of Trustees	Records of the meetings of the full Board of Trustees are open to the public without restriction; all other records considered confidential information, with no public access unless permission extended by university administration
Records created for the purpose of public distribution, such as course catalogs, newspapers, web content, etc.	Open to the public without restriction

Further exceptions may exist that are not reflected on this chart. UARM cannot anticipate every specific type of situation governing public access to university records, so questions should be referred to the Office of General Counsel.

8.2   PROCEDURES FOR HANDLING REQUESTS FOR UNIVERSITY RECORDS

8.2.1   **Routing of requests for university records**

In most cases, requests for confidential university records must be routed immediately through the Office of General Counsel. The following rubric provides a sense of how different types of requests for public and confidential information should be routed:

Type of records request	Unit to which request should be routed
FOIA requests	Office of General Counsel
Subpoenas	Office of General Counsel
External auditor requests	Office of General Counsel or Research Office

Law enforcement requests	Office of General Counsel
Media requests	Office of Communications and Marketing
All other requests	UARM, which will refer as appropriate

As should be clear, most formal or legal requests for university records should be routed through the Office of General Counsel.

8.2.2   **Reproduction of university records**

Generally, it is the responsibility of the custodial unit to conduct any sort of work of reproduction of university records necessary to satisfy an approved external request. This is applicable regardless of whether the format of the supplied records is physical or electronic. With regard to supplying electronic records for an approved external request, contact Information Technologies with any technical questions.

In most cases, issues of copyright should not be a concern in reproducing records to satisfy external requests. The one major exception to this is reproduction of student work such as theses and dissertations. For assistance with these materials, contact UARM staff.

9 Appendix

9.1 DIGITAL RECORDS MANAGEMENT

See the following pages 25 through 30 for this document. It also is available on the UARM website at https://sites.udel.edu/uarm/digital-records-management/.

Digital Records Management

It is not an understatement to say that digital records have overtaken the modern workplace. From word processing documents, to spreadsheets and databases, to email, and to web applications, everybody at the University of Delaware works intensively with digital records in one form or another. University Archives and Records Management (UARM) is committed to helping you manage your digital records to the fullest extent, and likewise is committed to fostering a paper-sparse environment for the university. In this document, you will find some guidance for properly and efficiently managing your digital records.

If you are not familiar with the University's archives and records management policies, please take a moment to familiarize yourself with them. They are located on the website of the Office of the Vice President and General Counsel at http://sites.udel.edu/generalcounsel/policies/.

Please contact UARM with any questions, concerns, or for further information at 831-2750 or ud-archives@udel.edu.

What are digital records?

Technically, digital records are defined as data or information that has been captured and fixed for storage and manipulation in an automated system and that requires the use of the system to render it intelligible by its users.

More plainly put, digital records are those records that you generate and use in the course of conducting the university's business when using a computer, PDA, or cell phone. This can include but is not limited to word processing documents, spreadsheets, databases, email, image files, presentations, web-based records, social media pages, messaging through social media applications, and text messages. However, not all digital documents or information generated by University employees in the course of business are considered University records. This topic will be explored further below.

Benefits of good digital records management

Good digital records management practices and procedures can truly help both you as an employee and the university as a whole. Here are some those benefits:

- Improved knowledge of what constitutes a University digital record and what does not,

- Reduced costs of storing and handling obsolete paper and digital records,

- Increased reliability and speed in retrieving needed digital records,

- Increased productivity in handling large amounts of digital records and information,

- Improved compliance with University policies,

- Reduced risk of adverse legal or regulatory actions, and

- Preservation of appropriate digital records for historic purposes.

Your responsibilities as an employee

Your responsibilities as an employee are as follows:

- Follow the University records retention schedule with regard to the management of all University records, paper or digital. If you do not have access to the retention schedule for your unit, the records management contact in your unit or UARM staff can provide it for you.

- Follow the University's policies regarding recordkeeping and use of digital records and computing systems. All policies can be found on the website of the Office of the Vice President and General Counsel.

- If a Freedom of Information Act (FOIA) request or litigation hold order has been applied to your unit, save and preserve all digital records covered by the request or the hold. The Office of the Vice President and General Counsel will provide instructions on which records are covered by the request or the hold. Destroying and deleting records subject to a request or a hold jeopardizes the University and you may be subject to disciplinary action for doing so.

- Do not disclose confidential business information, paper or digital, to unauthorized users. All active University records are considered confidential business information unless produced for public distribution or disclosed by the University for public access.

- Remember that in the world of digital records, everybody becomes a records manager. Everybody uses a computer, everybody is producing digital records, and many of those records are not filed into any sort of central recordkeeping system. It is impossible to delegate this task to one person in your unit.

Managing digital records

It's time to tackle your desktop or laptop! Here are some practices to help you manage the ongoing flow and built-up detritus of digital records on your computer:

- Digital records are defined above. However, note that this category divides into two different classes: records and non-records, also known as transitory records. Records are those documents in their final versions generated while undertaking the business of the university that possess enduring value. Non-records are those documents perhaps generated while undertaking the business of the university that do not possess enduring value. Examples of records include the final versions of reports and studies, meeting minutes, executed contracts and agreements, budgets, image files, etc. Non-records include transitory documents such as drafts of records, spreadsheets generated for the purpose of producing final budgets, notes, duplicate copies of records, personal files, etc.

- When considering if a digital document is a record or not, ask yourself the following questions. If the answer to any one of these questions is yes, then the document may be a record. When in doubt, consult with UARM for help in identifying records.

  o Does it record official decisions?

  o Is it the final version of a project, report, program, policy, or procedure?

  o Does it include or is it meeting minutes?

  o Does it document a business transaction?

  o Does it prove or document that a business-related event or activity did or did not occur?

  o Does it have business, operational, legal, compliance, regulatory, or historic value for the university?

  o Can it help resolve disputes or problems in the future?

- o   Is there a legal expectation to retain it?

- o   If it were in paper form, would you retain it?

- Remember that retention applies to digital records in the same manner as it applies to paper records; records retention applies to content, not format. For example, if an MS Word document that is the final copy of a procedure falls into the records retention series for policies and procedures for your unit, you may only need to keep that document until it is obsolete and replaced with a new procedure.

- While everybody inevitably makes their own file layout or schema, an easy way to organize your computer files is according to the records retention schedule for your unit, and more precisely as it applies directly to your work. You can make file folders that mirror each of the records series pertinent to your work.

- If you find that your digital records do not match the records retention schedule, discuss this with your unit's records management contact. It is possible that the schedule needs to be modified to reflect types of records that it currently does not document.

- Perform a digital records file cleanup on a regular basis. You may be able to delete many of the following types of transitory non-records:

  - o   Resource material created or received for reference purposes;

  - o   Draft documents;

  - o   Spreadsheets used to build a final budget or proposal; and

  - o   Digital copies of documents retained in paper form as the copy of record.

- MS Word files intended for permanent retention should be converted to PDF/A format, as this is best suited for long-term preservation. The original file may be deleted after conversion.

- Migration of digital records to updated computing platforms and software for their preservation in accordance with the University records retention schedule is the responsibility of individual units. For example, if an MS Excel spreadsheet is a record and must be retained per the records retention schedule, you must ensure its viability and integrity as it is migrated from version to version of that program until retention expires.

Managing email

Email can be overwhelming. The volume of email that we all receive in a given day or week can be onerous. Here are some practices that will help you control your inbox while also furthering the University's records management goals:

- Email records are defined in the same manner as digital records above. As with other digital records, all email falls into one of two categories: records and non-records, also known as transitory records. Email records are those records generated while undertaking the business of the university that possess enduring value. Email non-records are those documents perhaps generated while undertaking the business of the university that do not possess enduring value. Examples of email records include messages that include final decisions of significance to the operations of the university or its constituent units, messages that indicate the completion of contracted work for the university, etc. Non-records include transitory messages like those used to arrange meetings, those including general university information received from other units than your own, personal messages, etc.

- When considering if an email is a record or not, ask yourself the following questions. If the answer to any one of these questions is yes, then the document may be a record. When in doubt, consult with UARM for help in identifying records.

  - o   Does it record official decisions?

- Does it record significant conversations about policies, programs, or procedures?

- Does it document a business transaction?

- Does it prove or document that a business-related event or activity did or did not occur?

- Does it have business, operational, legal, compliance, regulatory, or historic value for the university?

- Can it help resolve problems in the future?

- Is there a legal expectation to retain it?

- If it were in paper form, would you retain it?

- Keep in mind that the majority of email messages are transitory non-records and can be deleted.

- Remember that retention applies to email in the same manner as it applies to paper and other digital records. For example, if an email record related to an employment search falls into the records retention series for search committee records for your unit, you may only need to keep that email for that many years from the close of the search.

- It is a good idea to arrange your saved email files and folders in the same or similar manner to the records retention schedule for your unit. Email messages should be filed in a way that enhances their accessibility and facilitates the unit's records management tasks.

- Perform an email cleanup on a regular basis. You may be able to delete many of the following types of transitory non-records:

  - Resource material created or received for reference purposes;

  - General routine unit business correspondence (i.e., messages that have short-term administrative or operational value), such as routine requests for information, meeting notices and reminders, administrative notices, invitations and responses, etc.;

  - Draft messages; and

  - Courtesy copy informational messages (i.e., messages that you receive to keep you informed on a matter, but that you do not need to act upon).

- With regard to attachments, if the content of the email message is not needed to complete the record, move the attachment to the appropriate folder on your hard drive or network, then delete the original email. If the content of the email message is needed to document important information such as its content, the recipients of the message, or the date and time when the message was sent, then keep the email with its attachment.

- If you have multiple email messages on the same topic with the same subject, i.e., a message thread, delete all of the messages except for the final message that contains all of the previous messages.

- When doing an email cleanup, do not forget to also review your sent mail folder.

- It is best practice not to use your work email account for personal messages, and the University discourages its employees from doing so. Using your work email account for private emails only adds to the volume of email that you will have to sort and delete. If you need a private email account that you can use occasionally at work, try one of the free web-based systems like Gmail.

Digitization of paper records

Many units digitize paper records in order to make their workflows easier and more efficient. Should you decide to undertake a digitization project, you will want to answer the following questions:

- What are the goals for the project? What is the desired end product? Is it for filing records into a digital document management system, or for preservation of records, or for search capabilities that exceed those for paper records?

- Where will the digital content live? Do you possess or have access to the digital infrastructure necessary to store, access, safeguard, and preserve these records in an efficient, trustworthy, and reliable manner?

- How will you handle the metadata necessary for managing and accessing the records?

- What will you do with the paper records once they are digitized? Should they be kept as backup in case documents are digitized incorrectly or poorly? Is there a legal, policy, or procedural obligation to retain the paper copies even if the records are digitized?

- What are the retention periods for these records? Are they short-lived records (retention of three to five years or less before disposition)? Does the cost of digitization – including labor – outweigh the possible benefit? If you file the records into a digital document management system, can the records be deleted once retention expires?

- How will you remember to dispose of records once their retention periods have expired? Most records should not and cannot be kept indefinitely; doing so exposes the university to legal risk.

These can be complex questions with sometimes equally complex answers. You should consult with UARM before undertaking a records digitization project to ensure that all records management issues are properly and sufficiently addressed.

Disposition of digital records

Disposition of digital records means the final activity that you will take regarding those records at the end of their retention period. Disposition can mean either deletion of transitory records or transfer of non-transitory records to UARM for permanent retention or "archiving."

Deletion of digital records is relatively straightforward. It is important to make deletion an ongoing process so that the bulk of records does not become too overwhelming to reasonably handle. An important point to remember is that although Information Technologies may retain your records through central digital storage systems (email is a good example of this), your individual records retention responsibilities are not preempted by their actions. You still have a duty to delete digital records when their retention period has expired, insofar as is feasible.

With regard to records that are not transitory in nature but instead are intended for permanent retention, contact UARM to learn about the transfer process and requirements for turning over digital records for preservation. It is important to preserve and safeguard permanent records for historical reasons. Now that large sections of the university are paperless or paper-sparse, UARM needs your digital records to continue to build its historical collections and tell the story of the University of Delaware for future generations!

Information security

Information security is a critical matter for the university, which has significant expectations of its employees with regard to the secure management of its data and information. For more information, visit Information Technologies' computing security best practices website at http://www1.udel.edu/security/bestpractices/.

Destruction of portable electronic media

Digital records stored on portable media such as tapes, disks, ID cards, flash drives, etc. can and should be destroyed by UARM. There is no cost to units for this service.

Computer hard drives, including portable hard drives, cannot be destroyed by UARM and must be destroyed through Procurement Services using the equipment activity webform, the procedure for which is described in university policy *Use and Disposal of University Equipment and Material (Legacy Policy #5-6)*.