

**31056**

**ADOPTED – BOARD OF TRUSTEES COMMUNITY  
COLLEGE DISTRICT NO. 508**

**JULY 14, 2011**

**BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 508  
COUNTY OF COOK AND STATE OF ILLINOIS**

**RESOLUTION**

**ADOPTING A RECORD RETENTION POLICY**

**WHEREAS**, the Board of Trustees of Community College District No. 508 is empowered under Section 805/3-30 of the Illinois Public Community College Act, 110 ILCS 805 (“the Act”) to exercise all powers not inconsistent with the Act, “that may be requisite or proper for the maintenance, operation and development of any college or colleges under the jurisdiction of the board;”

**WHEREAS**, Rule 1.8 of the Rules for Management and Government of City Colleges of Chicago provides that the Board may adopt, from time to time, policy statements, guidelines, procedures, regulations, collective bargaining agreements, codes of conduct, or similar documents issued for the governance of the Board, the District and the Colleges; and

**WHEREAS**, the District is committed to effective records retention to meet business needs, preserve the history of City Colleges, comply with all legal standards, optimize the use of space, minimize the cost of record retention, and ensure that outdated and useless records are destroyed;

**NOW THEREFORE BE IT RESOLVED**, that the Chancellor recommends the adoption of a Record Retention Policy which is outlined below:

**RECORD RETENTION POLICY**

City Colleges of Chicago requires that business records be retained for specific period of time.

**Purpose of Policy**

City Colleges of Chicago is committed to effective records retention to comply with all legal requirements, local, state and federal, for retention or storage, minimize the cost of retention and to ensure that outdated records are properly destroyed.

**Personnel Affected**

All City Colleges of Chicago personnel and vendor or contracted personnel that create receive issue or maintain records deemed property of City Colleges of Chicago.

## **Policy**

City Colleges of Chicago is subject to numerous record retention requirements imposed by Federal, State and local regulations. Those legal authorities include, but are not limited to, the ICCB, IRS, State of Illinois, FERPA, HIPAA, FOIA, and the Gramm-Leach-Bliley Act. City Colleges of Chicago requires that all records be maintained in a consistent and logical manner and be retained in such a manner so that it:

- Meets legal standards for protection, storage and retrieval;
- Protects the privacy of students and employees;
- Minimizes the cost of record retention;
- Destroys qualifying outdated or expired records in a proper manner.

Retention periods may change by regulation, order, notice or events. Any record that is the subject of litigation or pertaining to a claim, audit, agency charge, investigation or enforcement action should be retained until final resolution of the action or unless otherwise noted. Record destruction may be delayed by any of the above reasons and should be communicated by the Office of General Counsel, the Finance or Treasury Department, any City Colleges of Chicago Auditor, the Administrative Services Department, the Human Resources Department, the Academic Affairs Department, the Office of the Chancellor, the Board of Trustees, or any college President or Vice President.

## **Records**

City Colleges of Chicago records include information, regardless of physical form or characteristics (i.e., electronic or hard copy), that have been created, sent, forwarded or received by any employee of City Colleges of Chicago. These records may include correspondence, including email, reports, studies, data, maps, drawings, photographs, audio and visual recordings, administrative logs, forms, statements, contracts, policies, financial records, invoices, student and faculty information, employee data information, personnel information, technological information or other documents whether on paper, computer, tape, disk or hard drive, film or other media. Generally, City Colleges of Chicago's records are public and may not be destroyed or transferred without an official retention period instituted or approved by various government agencies.

## **Responsibilities**

Departments that maintain City Colleges of Chicago records are responsible for establishing appropriate record retention management practices according to the City Colleges of Chicago Record Retention Policy and Schedule. Each department's administrative manager or a designee must:

- Implement the record retention practices;
- Ensure those retention practices are consistent with this policy and schedule;

- Educate staff within the department in understanding sound record management practices;
- Ensure that access to confidential records and information is restricted;
- Destroy and/or save via electronic or digital format the inactive records that have no value upon passage of the applicable retention period according to the schedule;
- Ensure that records are destroyed in a manner that is appropriate for the type of records and information involved, including seeking government agency approval when required per the schedule;
- Ensure that proper storage of records requiring permanent or long-term storage occurs.

If there are inconsistencies in the required retention periods, the longer period should be followed. If you run into a problem regarding the retention or destruction of a record not clearly addressed by the schedule, please consult an appropriate supervisor or the Office of General Counsel.

### **Email**

All email must be evaluated for purposes of whether it qualifies as a “record” subject to the Record Retention Schedule. Ultimately, not all email will actually be deemed a “record;” however, it must be evaluated for purposes of whether or not it should be saved as a record pursuant to the Record Retention Schedule or whether it can be deleted because it is not deemed a “record.”

An email is a “record” when it is created and/or received in the course of undertaking and completing a CCC-related issue or transaction. Attachments to emails that are deemed “records” are also considered “records” subject to the Records Retention Schedule. These email records should be removed from the user’s inbox and captured in either an electronic sub-folder or maintained in a hard copy file if the message becomes printed.

An email is not a record when it contains information with short-term administrative value, often referred to as a “transitory” message. These types of messages are created or received primarily for informal communication of information as opposed to communications designed for the perpetuation of formalization of knowledge. The informal nature of these “transitory” types of messages is similar to the type of communication that might take place in a phone conversation or a live, spontaneous conversation such as in a hallway or elevator. These messages are short-lived and often have no administrative value. Email messages that are not considered records are not required to follow the Records Retention Schedule and instead may be saved or deleted in any manner the user deems appropriate. If the user simply opts to retain the message in his or her inbox indefinitely, then the email messages are subject to automatic purging pursuant to the following specifications.

All CCC user email residing in their general inboxes will be retained for a period of 1 year. All emails older than 1 year will be automatically purged and moved into an archive for read-only access by the CCC. The CCC will retain an archive of all email for a period of 3 years. Alternative email retention policies exist to facilitate legal discovery and legal hold requirements.

### **Retention Schedule Access and Updates**

Full access to the Records Retention Schedule is granted to individuals designated by the Office of Administrative and Procurement Services. That designated person may change from time to time as may be necessary; however, full access to the document should be closely guarded so as to ensure that all revisions and updates are appropriately tracked. Otherwise, a “read-only” style access should be widely available to all CCC employees.

In respect to updating the Records Retention Schedule, if any employee has a suggested modification (additions, omissions or any kind of revision), that employee should communicate the suggested modification to his or her designated departmental supervisor. Then, all the designated departmental supervisors for this Records Retention Schedule should gather suggested modifications and present them to a Records Retention Policy and Schedule Development Committee member who will then present the suggested modifications to the committee at its next meeting which should be periodic. The Committee shall convene at least once per year for the purpose of discussing and deciding suggested modifications to the schedule. More frequent meetings may occur if the committee deems appropriate.

### **Confidentiality Requirement**

Many records subject to retention requirements contain confidential information (non-public information including, but not limited to, name, address, social security number, bank accounts numbers, financial or financial aid information, student numbers, medical information, etc.). Such records are private and are protected by the Family Educational Rights and Privacy Act (FERPA), the Gramm-Leach-Bliley (GLB) Act, and the Health Insurance Portability and Accountability Act (HIPAA). In addition to the retention requirements, any record that contains confidential information should be considered confidential and treated in accordance with City Colleges of Chicago’s privacy and security policies.

### **Disposal, Destruction or Storage of Records**

If you have determined that it is appropriate to dispose of certain records, destroy them by recycling non-confidential paper records, shredding or rendering unreadable the confidential paper records or erasing or destroying electronically stored data only with the assistance of OIT. If you have determined that some form of storage medium is required, do so by whatever means your department manager deems appropriate (hard copy off site; digital copies; etc) while maintaining an index or catalog system of those stored records. Please periodically review records electronically generated or maintained in City Colleges of Chicago’s information systems or equipment to ensure proper requirements are met.

If you still have questions about your responsibilities, please contact the Office of General Counsel only after you have tried to resolve any issue with your department supervisor. At that time, someone in the Office of General Counsel will assist you in understanding your document retention issue and provide further guidance on this policy.

**July 14, 2011 – Office of the General Counsel**