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Approved:	Cheryl Thompson-Stacy
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## Records Management Policy

### 1.0 Purpose

This policy is intended to provide regulatory guidance on the proper retention and disposal of College records.

### 2.0 Revision History

This is a new policy.

### 3.0 Applicability

This policy applies to all employees of the College.

### 4.0 Policy

It is the policy of LFCC to follow all state policies and procedures applicable to the proper retention and destruction of College records. In addition, as part of its Disaster Recovery Plan, the College must ensure that all vital records can be easily accessed and accounted for in the event of an emergency. The unit vice presidents will be responsible for assigning records coordinators who will be responsible for surveying, retaining, and purging records in their departments.

### 5.0 Definitions

According to the Virginia Public Records Act, "No agency shall destroy or discard a public record unless (i) the record appears on a records retention and disposition schedule approved pursuant to § [42.1-82](#) of the Code of Virginia and the record's retention period has expired; (ii) a certificate of records destruction, as designated by the Librarian of Virginia, has been properly completed and approved by the agency's designated records officer; and (iii) there is no litigation, audit, investigation, request for records pursuant to the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.), or renegotiation of the relevant records retention and disposition schedule pending at the expiration of the retention period for the applicable records series."<sup>1</sup>

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<sup>1</sup> <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+42.1-86.1>

**Record** - "Public record" or "record" means recorded information that documents a transaction or activity by or with any public officer, agency or employee of an agency. Regardless of physical form or characteristic, a record is considered "public" if it is produced, collected, received or retained in pursuance of law or in connection with the transaction of public business. Per the Virginia Public Records Act, records must be maintained and destroyed in accordance with an approved schedule by the Library of Virginia.<sup>2</sup>

Public records are those identified in Section 42.1-77 of the Code of Virginia that originate from the pursuit of law or conduct of State business by a State agency or a political subdivision. In general, public records refers to books, papers, letters, documents, photographs, tapes, microfiche, microfilm photostats, sound recordings, maps, other documentary materials or information in a recording medium regardless of physical form or characteristics, including data processing devices and computer.<sup>3</sup>

***Therefore, it is the content of a record, not its medium, which determines whether a record constitutes a public record".***<sup>4</sup>

**Type of records include:** *Administrative, Fiscal, Personnel, Mailroom, Motor Vehicle, College and University, Fire, Safety and Security, and Library and Museum records.*

**Vital Record** - Vital records are those records essential to the operation of the organization and/or resumption of operations following a disaster. These are records essential to stay in business, such as accounts receivable or payroll records. Vital records should be readily available during an emergency situation.

**Electronic Records** - An electronic record is a record created, generated, sent, communicated, received, or stored by electronic means. Electronic record formats include, but are not limited to, word processing files, spreadsheets, emails, instant messages, Web sites, databases, and scanned images, as well as multimedia files that may include audio, graphics, video, and animation.<sup>5</sup> The retention schedule for electronic records is the same as a paper record and should be purged according to its **content**, not its medium.

**Records Officer** – Each agency and locality "shall designate as many as appropriate, but at least one, records officer to serve as a liaison to the Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction of obsolete records."<sup>6</sup>

**Records Coordinator** - Key individual chosen by unit vice presidents to be responsible for the records in their departments. It is the Records Coordinator's responsibility to

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<sup>2</sup> Archival and Records Management Services Division of the Library of Virginia

<sup>3</sup> Records Retention and Disposition, Office of Comptroller, Commonwealth of Virginia

<sup>4</sup> <http://www.lva.virginia.gov/whatwedo/records/electron/introduction.pdf>

<sup>5</sup> Ibid.

<sup>6</sup> <http://www.lva.lib.va.us/whatwedo/records/manuals/00m-ch1.htm>

make sure that all records are surveyed, stored and purged in a timely manner as set forth by the state's record retention schedule.

**LVA** – Library of Virginia

**Retention Period** – means the required time period and disposition action indicated in a Library of Virginia-approved records retention and disposition schedule.<sup>7</sup>

**RM-3 Form** (Certificate of Destruction) - evidence of proper disposal if records are subpoenaed as evidence.<sup>8</sup>

**Pulped** – means a technique of macerating paper documents by soaking them in water and grinding them into pulp.<sup>9</sup>

**Shredded** - means destroying paper records by mechanical cutting. Cross-cut shredders cut in two directions, 90 degrees from the other.<sup>10</sup>

## 6.0 Responsibilities

Employees are responsible for familiarizing themselves with the retention schedules and destruction policies set forth by the LVA. Each unit shall have designated records coordinator to be responsible for ensuring that records are meeting the state requirements for proper retention and destruction.

The College Records Officer is responsible for informing the records coordinators of any changes to the retention schedules, answering questions related to records management, and validating the required RM-3 form for record destruction. In addition the Records Officer acts as the liaison between the College and the LVA for any issues pertaining to the College's records management system.

## 7.0 Procedures

1. Records are to be secured in a manner that will ensure that the integrity and privacy of the records is preserved.
2. Paper records containing personal identifying information must be shredded or pulped so that data is irretrievable.
3. For electronic records stored on a computer system or electronic storage device that is to be surplus, transferred, reassigned within the same agency, traded-in, disposed of, or the hard drive is replaced, all sensitive and/or confidential program or electronic records on any storage media shall be immediately and completely "wiped" or otherwise made unreadable in accordance with the procedures set forth by the Commonwealth.<sup>11</sup> Electronic

<sup>7</sup> <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+17VAC15-120-10>

<sup>8</sup> <http://www.lva.lib.va.us/whatwedo/records/manuals/00m-ch5.htm>

<sup>9</sup> <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+17VAC15-120-10>

<sup>10</sup> Ibid

<sup>11</sup> Removal of Commonwealth Data from Surplus Computer Hard Drives and Electronic Media Standard, SEC2003-02.1

- data on computers that are not being surplused, transferred or reassigned must be “wiped” clean once the equipment has reached its retention period. Special software programs will wipe data and make it permanently irretrievable and inaccessible. To download this software, please contact the Director of Technology Services or the Information Security Officer.
4. Paper records containing SSN's or sensitive information must follow the destruction requirements set forth in the Virginia Administrative Code (17VAC15-120).
  5. Unless otherwise stated, all records marked for disposal must have an accompanying RM-3 form signed by a supervisor and authorized by the Records Officer. An RM-3 form must be submitted to the Records Officer before placing records in the container for destruction. Records without RM-3 forms will not be destroyed unless previously approved by the Records Officer.
  6. The destruction of College records shall be conducted following College procedures designed to ensure the College collects and destroys data in a secure and timely manner.
  7. Records will no longer be stored in the Facilities Operation Center.

## **8.0 Interpretation**

Authority for interpretation of this policy rests with the Vice President of Financial and Administrative Services.

## **9.0 Authority/Reference**

- Library of Virginia
- Virginia Public Records Act
- Virginia Administrative Code