

# **CASE WESTERN RESERVE UNIVERSITY** **POLICY ON RETENTION OF UNIVERSITY RECORDS**

## **INTRODUCTION**

Case Western Reserve University requires that certain types of University records be retained for (and generally destroyed after) specific periods of time in accordance with legal and institutional requirements. The University has designated Offices of Record for such records to manage the retention and disposal of such records in accordance with this policy.

## **STATEMENT OF PURPOSE**

The University is committed to effective records retention and destruction to preserve its history, comply with legal requirements, optimize the use of space, minimize the cost of record retention, and ensure that outdated and unnecessary records are destroyed.

## **APPLICATION OF POLICY**

This policy applies to all University faculty and staff. It applies to all records regardless of format or storage method, including all paper, electronic, microform and all other formats.

## **DEFINITIONS**

The following definitions apply to terms used in this policy:

***Confidential Information*** – Confidential Information includes: material that the University is legally, contractually or otherwise obligated to keep confidential; information that could be used to the detriment of the University or individuals if read by, or otherwise communicated to, others; and other such non-public, proprietary or sensitive information. By way of illustration, some examples of Confidential Information include: personally identifiable information such as social security numbers; student records and other non-public student data; personnel and/or payroll records; bank account numbers and other personal financial information; intellectual property (as broadly defined by the University); and information related to litigation.

***Office of Record*** – The Office of Record is the department or unit designated as having responsibility for retention and timely destruction of particular types of records. Such responsibility is assigned to the department's or unit's supervisor or a designee. Offices of Record are named in the Retention Schedules located at [www.case.edu/its/archives/Records/retentionform.htm](http://www.case.edu/its/archives/Records/retentionform.htm).

***Record*** – Any papers, documents, books, photographs, tapes, films, sound and/or video recordings, electronic information or other material, regardless of physical form or characteristics or storage method, made, produced, received or executed by any department or office of the University or by any academic or administrative personnel in connection with the performance of University business. Records also include databases and other data compilations.

For purposes of this policy, records do not include: miscellaneous or personal papers or correspondence done outside the scope of University employment or without official significance; extra copies of documents preserved only for convenience of reference; and versions of reports, memos, word processing files, superseded printed drafts and other such documents used to develop a final official record. An official record is (a) a record that has legally recognized and enforceable qualities that establish a fact, policy, institutional position or decision, or (b) a single official copy of a document maintained by an administrative unit, typically the original.

## **RETENTION AND DESTRUCTION OF RECORDS**

### **Retention Schedules**

University records must be retained for the amount of time prescribed in the Retention Schedules located at [www.case.edu/its/archives/Records/retentionform.htm](http://www.case.edu/its/archives/Records/retentionform.htm). If the Office of Record believes that, in order to meet institutional needs, a given type of record should be retained for a longer period than the Retention Schedules require, the supervisor of that Office of Record should recommend a specific retention period to the Office of General Counsel. The Provost, Chief Financial Officer and Office of General Counsel will review such recommendation for approval. If the recommended retention period is approved, the Retention Schedule will be revised to reflect the recommended retention period.

The supervisor (or designee) of each Office of Record must educate its respective personnel regarding this policy and must enforce the provisions of this policy.

Departments that are not Offices of Record of certain records but which possess copies of such records are not responsible for retaining the records for the retention period and should dispose of the records when the records are no longer in active use by the non-official department.

Retention periods may change from time to time due to changes in the law, audit requirements or other factors. Any such changes supersede the requirements listed in this policy, although the website for this policy will strive to remain current.

### **Record Destruction**

When the required retention period for a record has passed, the record must be destroyed as follows:\*

*Paper Records:* Paper records should be either (a) discarded, preferably in recycle bins, if the records do not contain Confidential Information or (b) securely shredded or otherwise rendered unreadable if the records contain ANY Confidential Information.

*Electronic Records:* Electronic records should be destroyed in the manner prescribed by the University's Chief Information Security Officer.

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\*Faculty members who serve in both faculty and administrative roles (*e.g.*, deans, chairs, department heads and directors) are strongly encouraged, but are not required, to destroy records relating solely to their faculty role (*e.g.*, research records and teaching materials) in accordance with this policy. They are required to destroy records relating to their administrative functions (*e.g.*, personnel records, student records and school operations records) in accordance with this policy. All other University personnel are required to destroy records in accordance with this policy.

## **ELECTRONIC RECORDS**

This policy applies equally to records that exist in electronic (including email) or paper form. It is the content and function, not the form, of any record that determines its retention period. Users should retain or dispose of electronic records according to the retention periods in the applicable retention schedule, just as they would for paper records.

## **ARCHIVAL RECORDS**

An archival record is a record that has permanent institutional or historic value to the University. Archival records are retained and preserved indefinitely in the University Archives. The Retention Schedules for archival records indicate “indefinite” as the required retention period. Each Office of Record, with consultation from the University Archivist, determines whether it believes a record should be classified as an archival record and should make such recommendation to the Office of General Counsel. The Provost, Chief Financial Officer and Office of General Counsel will review such recommendation for approval. If the designation as an archival record is approved, then the Retention Schedules will be revised to reflect that the retention period for such record is “indefinite.”

When an archival record is no longer in active use by the Office of Record, the archival record should be transferred to the University Archives for indefinite retention and preservation.

## **SUSPENSION OF RECORD DESTRUCTION**

Destruction or disposal of any record, in whatever form, that relates to pending or threatened litigation or government investigation, or that relates to any matter about which litigation or investigation is reasonably foreseeable, or that is the subject of an Office of General Counsel “litigation hold” (*i.e.*, a communication from the Office of General Counsel advising not to destroy any records relating to a particular matter) directive, is strictly prohibited by this policy. Destruction or disposal of certain records pursuant to this policy must be immediately suspended whenever the University is involved in litigation, reasonably anticipates litigation or is the subject of a subpoena, government audit, investigation or Office of General Counsel “litigation hold” to which such records may apply. Once the University has notice of or reasonably anticipates litigation, a subpoena or government audit or investigation, the University must preserve all documents and records (in all formats) that relate to the matter. Departments must immediately notify the Office of General Counsel upon receipt of notice or reasonable anticipation of any litigation, subpoena, audit or investigation. The Office of General Counsel will instruct individuals likely to have relevant records to preserve such records until further notice from the Office of General Counsel. A preservation notice from the Office of General Counsel (*i.e.*, a litigation hold) supersedes the Retention Schedules.

## **INFORMATION CONTACTS**

Direct any questions about this policy to your department’s supervisor. The Office of General Counsel is also available to assist with questions of interpretation of this policy.

**Effective January 24, 2011. Prior version date December 2006.**