Records Retention and Disposition Toolkit

ⓘ **Related Resources**

- E-Discovery Toolkit
- Electronic Records Management Toolkit

Retention Scheduling

Retention scheduling is the process of determining the life of a record in each stage of the information life cycle (from creation through disposition). Scheduling takes into consideration not only the practical business life of records (satisfying administrative, fiscal, and research needs) but also federal, state and local regulatory requirements.

The length of time a record must be kept to meet these requirements is referred to as its **retention period**. **Records retention schedules** are a critical component of a records and information management program. In its most basic form, a records retention schedule identifies the records to be managed and communicates how long the records are to be retained. A records retention schedule provides direction and guidance on recordkeeping requirements and conditions.

The records retention schedule is typically compiled and maintained by a records and information management (RIM) professional (sometimes called a Records Manager) - using best practices, industry standards and methodologies.

The process of creating a retention schedule begins with gathering information by conducting a **records inventory** to determine among other things: what records exist, their formats, their origin, and who accesses them. In the end, the retention schedule is usually reviewed and approved by appropriate departments and signed off by the leadership of the organization. If the organization is a state-funding entity, it is possible that state law will require the retention schedule to be approved by another state agency – an agency that has legal authority over records and information management issues state-wide.

The following sections are included on this page. If you would like to submit additional resources, please contact the Higher Education Information Security Council.

- Disposition of Records
- Developing a Records Management Program
- More about the Records Lifecycle & Stages
- Retention Scheduling Considerations and Decisions
- Benefits of a Records Retention Schedule
- Developing a Retention Schedule Step-by-Step
    - Records Retention Schedule Template (download Word file)
- Records Inventory
    - Records Retention Inventory Worksheet (download Word file)
- Retention Periods
- When Should I Update the Records Schedule?
- Resources for the Appropriate Disposal of Information

Disposition of Records

Records disposition is a critical element of records management and is the final operational action taken in the records lifecycle. Disposition may include the destruction of records or the transfer of records to another entity (most commonly an Archives) for permanent preservation. An organization's records disposition program provides approved routine procedures to dispose or transfer records that are no longer needed in the office for current agency business.

During the disposition process, records are approved for destruction or transfer according to the policies and procedures of the organization. One goal of this process is to consistently and properly disposition records during the normal course of business. Records that contain information that is sensitive (e.g. FERPA or HIPAA protected information) should be destroyed in a secure manner that protects privacy, such as shredding, incineration, or secure digital destruction. Records containing non-sensitive information may be disposed of in the trash, recycling, or less secure digital destruction. Another goal of the disposition process is to provide proof that records have been consistently and properly dispositional. This point is extremely important in light of the most recent revisions to the Federal Rules of Civil Procedures which deal with the process of discovery and production of evidence in response to potential litigation. This process is most commonly called "E-Discovery." In regards to disposition, it is very important that the destruction of records be documented and approved by the proper authorities. These documents should then be retained as part of the documentation of the records management program.

A comprehensive records disposition program should include procedures that address what to do when a litigation or legal hold is put into place. Generally, a record is frozen from ordinary disposition procedures when any litigation, claim, negotiation, audit, public information request, administrative review, or other action involving the record is initiated. At this point, disposition should be postponed until the completion of the action and the resolution of all issues that arise from it. See below for additional resources on the appropriate disposal of information.

#Top of page

Developing a Records Management Program

Some considerations for developing a Records Management Program:

1. Establish a strategic planning group which includes top managers/executives to support the program.
2. Write and communicate a directive on the objectives of the program which should link to organizational goals.
3. Identifying a "Records Manager" to oversee all aspects of the program including on-going management, use of internal personnel or outside consultants.
4. Write a policy statement identifying purpose, responsibility, objectives, etc.
5. Determine staffing and organizational structure for overseeing the program's day-to-day operations.
6. Conduct a preliminary file purge of non-records from filing systems.
7. Complete a records inventory.
8. Develop and implement a retention schedule.
9. Protect the vital records of the organization.
10. Develop a records management manual with policies, procedures, etc.
11. Implement filing standards throughout.
12. Identify process for managing inactive records in low cost space.
13. Implement forms management and reports management programs.
14. Automate records management where it makes sense.
15. Make records management a high priority.

More about the Records Lifecycle and Stages

Effective records management consists of controlling these records from their creation or receipt through to their final disposition. This movement from creation to final disposition is known as the records lifecycle and it consists of three stages: active, semi-active, and inactive. Each lifecycle stage has associated activities.

Active records are maintained for as long as they support the organization's current functions, projects, initiatives, etc. The active stage of the records lifecycle includes activities such as creation, distribution, and use. Generally, active records are those that are referred to often during the regular course of business. Active paper records are typically located in nearby filing cabinets or in desks. Active electronic records are typically saved on local drives or on shared network space.

Once records are no longer needed to carry out current activities, they become *semi-active*. However, these records must still be kept, or "retained," as long as required to meet the organization's administrative, fiscal, legal, or historical requirements. Typically, managing semi-active records is a question of space, value and use. Semi-active records are records that are not frequently retrieved or accessed.

With paper records, management of these records may become an issue when there is no longer space to properly store them. At this stage, organizations may want to consider whether to maintain these records in on-site storage or off-site storage. Scanning source documents into electronic or imaging records onto microfilm may provide cost-effective options.

With electronic records, managing semi-active records may become an issue when storage options (networks and local drives) become overloaded with rarely accessed files. As the volume of files on networks and local drives increases, performance suffers, and accurate, timely retrieval becomes increasingly difficult and time-consuming. Routine disposition of electronic files is a cost-effective solution to file bloat.

Generally, *inactive records* are records that are no longer required to carry out the administrative or operational functions for which they were created and which are no longer retrieved or accessed.

Retention Scheduling Considerations and Decisions

1. Is the organization starting from scratch, or refreshing existing retention schedules?
2. What is the scope of the retention schedules?
3. Will the organization develop functional retention schedules or departmental retention schedules?
4. What method will be used to gather information to develop the retention schedules?
5. Who will perform research into regulatory recordkeeping requirements?
6. What tools will support the development and ongoing maintenance of the retention schedules?

Benefits of a Records Retention Schedule

Establishing and implementing a records retention schedule:

- Helps ensure a university complies with legal/fiscal retention requirements for all records, regardless of media.
- Identifies records requiring enhanced protection or control.
- Identifies the record custodian for records resulting in better management of convenience (courtesy) copies.
- Reduces storage of active records by allowing the disposition of inactive, duplicate, or obsolete material.
- Establishes a timeframe for records to be transferred from active to inactive storage areas.
- Provides the go-ahead to purge unnecessary records from inactive records storage areas.

Developing a Retention Schedule Step-by-Step

Developing a retention schedule requires a plan of action. Here are the basic steps to develop a records schedule:

- ***Plan and communicate effectively.***
- ***Analyze business processes.*** Reviewing the functions for the institution by referring to organizational charts is often a good place to start.
- ***Conduct a records inventory.*** This is a major component! (e.g., Records Retention Inventory Worksheet)
- ***Document all recordkeeping requirements, including statutory, regulatory, and administrative obligations.*** This often includes interviewing staff who handle records frequently, as well as conducting legal research.
- ***Determine retention periods.*** The information gathered in steps 3 & 4 will inform this.
- ***Prepare draft retention schedules.*** Many templates and samples are available online (e.g., Records Retention Schedule Template).
- ***Review, approve, and distribute.*** Provide training on how to implement the schedule at all levels of the organization.

#Top of page

Records Inventory

A records inventory is a detailed listing of the volume, scope, and complexity of an organization's records, usually compiled for the purpose of creating a records schedule. The results of the inventory can be used to analyze the records for various purposes including retention and protection.

The steps in the records inventory process are:

1. Define the inventory's goals. While the main goal is gathering information for scheduling purposes, other goals may include preparing for conversion to other media, or identifying particular records management problems.
2. Define the scope of the inventory; it should include all records and other materials.
3. Obtain top management's support, preferably in the form of a directive, and keep management and staff informed at every stage of the inventory.
4. Decide on the information to be collected (the elements of the inventory). Materials should be located, described, and evaluated in terms of use.
5. Prepare an inventory form, or use an existing one (e.g., Records Retention Inventory Worksheet).
6. Decide who will conduct the inventory, and train them properly.
7. Learn where the agency's files are located, both physically and organizationally.
8. Conduct the inventory, being considerate of other's time/schedules.
9. Verify and analyze the results.

An inventory should include certain elements of information for each series. Here are some suggestions:

- **Date prepared**: The date the inventory was prepared.
- **Office maintaining the files**: The name of the office maintaining the records.
- **Person conducting the inventory**: Name, office, and telephone number.
- **Record series location**: Give the precise location of the series. If the series is located in more than one office, indicate multiple locations.
- **Record series title**: Give each series a title for brief reference or include the generally accepted title.
- **Inclusive dates**: The earliest and most recent dates of the records in each series.
- **Record series description**: A clear description of the series is basic to the success of the inventory and the schedule. It may also be needed to clarify the series title and should contain enough information to show the purpose, use, and subject content of the records.
- **Medium**: Indicate whether the record medium is paper, microform, electronic, audiovisual, or a combination of these.
- **Arrangement**: Indicate the arrangement, or filing system, used.
- **Volume**: Express the volume of records in common measurements, such as gigabytes (GB), kilobytes (KB), or megabytes (MB). When inventorying audiovisual, microform, cartographic, and related records, also provide an item count (e.g., 1200 prints, 3500 negatives) where appropriate. Sampling may be necessary for large series or collections.
- **Annual accumulation**: Estimate the annual rate of accumulation for each series if the records are current and continuing. If the records no longer accumulate, indicate "none."
- **Reference activity**: Rate the reference activity of a paper record series by placing it in one of three categories:
    - Active or current (used more than once a month)
    - Semi-active or semi-current (used less than once a month)
    - Inactive or noncurrent (not used for current operations)
- **Vital records status**: If the records qualify as vital records, specify whether they would be needed in an emergency (emergency-operating records) and whether they are needed to document legal or financial rights, or both. Also indicate whether they are the originals or duplicates. (See 36 CFR Part 1236 for national requirements in managing vital records.)
- **Duplication**: Indicate duplication in form or content. It can exist in the following ways:
    - Copies may be in the same organizational unit or elsewhere in the agency. The copies may contain significant differences or notations.
    - Similar data or information may be available elsewhere in the agency, either physically duplicated or in summarized form.
- **Restrictions on access and use**: Indicate any restrictions on access to, and use of, the particular series. Such restrictions may result from statutes, executive orders, or agency directives. Common types of restrictions are:
    - Privacy Act restrictions
    - National security restrictions
    - Freedom of Information Act restrictions
    - Other applicable restrictions that may be specific to the agency
- **Disposition authority**: If the series has an approved disposition authority, list the schedule and item number and then the retention period. If the series has no such authority, list the files as "unscheduled," make sure they are preserved, and ask the program office to recommend a suitable retention period.

What additional information should be included in an inventory specifically for electronic records?

Besides the inventory information listed above, include the following in an inventory of electronic records and electronic records systems:

- Name of the system
- Program or legal authority for creation of the system
- System control number
- Agency program supported by the system

- Purpose of the system
- Data input and sources
- Major outputs
- Informational content (include where applicable):
  - Description of data
  - Persons, places, or things that are the subject of the system and the information maintained on those subjects
  - Geographic coverage
  - Time span
  - Update cycle
  - Date that the system was initiated
  - Applications that the systems supports
  - How data are manipulated
  - Key unit of analysis for each file
  - Whether a public-use version is created
- Description of indexes, if any
- Hardware and software environment
- Name, office, telephone number, an d location of the system manager
- Name, office, telephone number, and room number of the person with the documentation needed to read and understand system, including
  - Codebooks
  - File layouts
  - Other (specify)
- Location and volume of any other records containing the same information

Retention Periods

The assignment of retention periods must be carefully considered and crafted in a meaningful way to support the organization, its functions, and its information management responsibilities. Retention periods are determined by appraising the associated records' usefulness or value in the following four areas:

- Operational – the usefulness of a record in the conduct of an organization's business; the value of a record for the purpose for which it was created. (Also referred to as Administrative value.)
- Legal – the usefulness of a record in complying with statutes and regulations as evidence in legal proceedings.
- Fiscal – the usefulness of a record in serving as documentation of the financial transactions of an organization.
- Research – the usefulness of a record in providing research value.
- Historical – the determination that records possess current or future value in clarifying the history of an organization and are thus worthy of permanent preservation.

This chart provides a glance at the typical break down of records by retention period.

RETENTION RANGE	% OF TOTAL RECORDS
Less than 1 year	2-5
1 to 3 years	10-20
4 to 5 years	20-30
6 to 7 years	20-30
8 to 10 years	10-20
11 to 20 years	5-10
Indefinite	2-5

When Should I Update the Records Schedule?

Records schedules remain in effect as long as they are valid, i.e., as long as the nature, content, and functional importance of the records remain the same. AN organization should review their schedules at least annually and update them whenever necessary. Updates may be needed under the following circumstances:

- Changes in statutory or regulatory requirements,

- Changes in the nature or responsibilities of the program documented by the records, such as changes resulting from reengineering or reinventing a program or process supported by the records,
- Changes in the function of the records,
- Changes in the way the records are used or the way that staff members use the records to do their work,
- Changes in the content of a series of records by including records previously managed separately or by splitting one series into two or more series,
- Changes in the data collected as part of the electronic recordkeeping system.

#Top of page

Resources for the Appropriate Disposal of Information

Once the decision has been made to dispose of information rather than to preserve or archive it, the custodian must choose the means of disposition. The choice should be based on the sensitivity of the information and the cost of disposition relative to the risk of disclosure.

- **Higher Education Information Security Council's Practical Information Media Sanitization Guidelines for Higher Education**: Recommends that higher education institutions follow the National Institute of Technical Standards (NIST) Guidelines for Media Sanitization.
- **National Institute of Technical Standards (NIST) Guidelines for Media Sanitization**: Identifies four types or levels of media sanitization to employ depending on data security risks and needs, comparative costs, and record-keeping requirements. The levels are Simple Disposal, Clearing, Purging, and Destroying and the guidelines describe effective processes to implement each level of sanitization on a wide range of media and devices. The guidelines also present recommended processes and approaches to the assessment, risk analysis, organizations, and record-keeping associated with disposal activities.
- **The Internal Revenue Service (IRS)** has developed a useful web site with recommendations for adapting the NIST guidelines and processes to smaller organizations.
- **The EDUCAUSE Resource Center** provides access to a collection of Data and Media Sanitization policies and procedures used at a range of public and private higher education institutions.
- **Other resources** on disposal include web information published by a trade group of information disposal vendors, National Association for Information Destruction (NAID). In addition, most sizable urban areas now have media and data disposal vendors and services available. While destruction is the only option available through most, many will provide collection facilities, make regular on-site visits and will certify destruction.

#Top of page