

## Retention of University Documents and Records

### Purpose

This Policy is promulgated to establish general, University-wide procedures for the classification, retention and, where applicable, destruction of documents and records created in the normal course of University business. The procedures outlined in this Policy are designed to promote the efficient and secure storage, retrieval and destruction of records, as well as compliance with various legal requirements relating to document retention. This Policy applies to all University operating units, and to all University records in all forms, including without limitation, paper and electronic files.

### Definitions

**Active Records:** Active records are those needed to support the ongoing activities of an Administrative Unit.

**Administrative Unit:** A University School or College, academic center, operating division, support center or business office.

**Archival Records:** Records to be maintained permanently by the University under the applicable Retention Schedule.

**Litigation Hold:** Notice to a Responsible Officer or other University Employee that certain described Active Records, Stored Records or Non-Essential Documents are relevant to litigation, any dispute that could result in litigation or to any investigation or audit, and must therefore be preserved, notwithstanding anything to the contrary contained in this Policy or any Retention Schedule.

**Non-Essential Documents:** Documents created for convenience or sole use of individuals or department administrators with no ongoing operational or documentary value to the Administrative Unit. Non-Essential Records include duplicate copies (including copies transmitted for informational purposes by an originating Administrative Unit to other Administrative Units), drafts, notes for individual use, and personal or ephemeral correspondence.

**Official University Records:** Those records, whether Active Records, Stored Records or Archival Records, in whatever media, to be maintained under the direction of the Responsible Officer pursuant to an applicable Document Retention Program, excluding duplicate copies and all Non-Essential Documents.

**Responsible Officer:** An individual assigned the responsibility to oversee the management, storage and destruction of records of an Administrative Unit of the University.

**Retention Schedule:** A schedule to be prepared and disseminated by a Responsible Officer indicating the retention period applicable to the official/original records of an Administrative Unit once they are no longer Active Records.

**Stored records:** Stored Records are those records held in storage pursuant to an applicable Retention Schedule or due to a Litigation Hold.

## Policy

Official University Records must be retained in an efficient, secure and retrievable manner for such time periods as are appropriate to meet all reasonably anticipated operational and administrative needs and legal requirements, but not less than period set out in this Policy or in any applicable Retention Schedule. Each University Vice President and Dean shall be responsible for the implementation of a Document Retention Program meeting the standards outlined below in this Policy.

### 1. Role of University Vice Presidents and Deans; Designation and Oversight of Responsible Officer.

University Vice Presidents and Deans (including the University President, and the University Provost in connection with their immediate staff) are responsible for promoting the institutional awareness of this policy and for ensuring overall compliance with it by their staff. In particular, Vice Presidents and Deans are responsible for:

- Identifying discrete Administrative Units within his or her areas of responsibility
- Designating and supervising a Responsible Officer for each Administrative Unit
- Approving the Document Retention Program and related Retention Schedules for each Administrative Unit, as recommended by the Responsible Officer
- Identifying storage options for Stored Records and overseeing destruction methods and practices

### 2. Role of Responsible Officers; Development of a Retention Program.

Each Responsible Officer shall formulate for the review and approval of their Dean or Vice President, a Document Retention Program for his or her Administrative Unit, containing the following elements:

- An inventory of the major types of the Official Records generated and maintained by the Administrative Unit
- A determination of the status of each such Official Record type under the University Data Security Policy (i.e. Confidential, Internal-use Only, Public)
- A determination of the period during which each Official Record type shall be retained as an Active Record
- A Retention Schedule (to be made with the assistance of the University General Counsel) indicating the Retention Period applicable to each Official Record as a Stored Record, including a designation of those Official Records to be retained as Archival Records
- A determination of method of destruction for each type of Official records (e.g. secured or unsecured).

Each Responsible Officer shall cooperate with the General Counsel in identifying any Official Records with his or her Administrative Unit that may be responsive to any Litigation Hold.

### 3. Storage Standards and Facilities; Use of Electronic Document Storage

Active Records and Stored Records should be kept in a secure location with adequate safeguards from damage from casualty. Storage facilities should comply with all requirements of the University Data

Security Policy, including, without limitation, requirements concerning the labeling of confidential documents and safeguards against unauthorized access. In order to retrieve Stored Records and Active Records in the event of audits, Litigation Holds and other circumstances, and to efficiently apply Retention Periods, storage of Official University Records must utilize reasonable indexing to identify documents by record type, subject matter and dates. Following use as Active Records, files should be reviewed to eliminate duplicate copies and other Nonessential Documents. The use of electronic means for storage of Official University Records (whether by the electronic imaging of original hard copies or the storage of documents originally created and maintained as Active Records in electronic form) should be reviewed by the appropriate Information Technology Services officer to confirm that the methodology proposed will achieve accuracy and future accessibility as well as security from unauthorized access. The General Counsel should also review any such proposals to determine if any evidentiary or other legal concerns may apply.

#### 4. Standards of Records Destruction

At the end of any applicable Retention Period, Stored Records shall be destroyed or archived. Destruction of Official Records must comply with all relevant provisions of the University Data Security Policy. Payment card data must be destroyed by cross-cut shredding or deletion.

#### 5. Litigation Holds

Actual, potential and threatened legal claims impose important duties on the University and its employees to preserve relevant Official University Records and Non-essential Records. Failure to do so can be of significant adverse consequence to the University. As a result, if any Employee believes or is informed by the University General Counsel that any records are relevant to actual or potential litigation, those records are to be preserved until such time as directed by the University General Counsel notwithstanding anything to the contrary in any Retention Schedule.

#### 6. Default Retention Requirements

In the absence of, or pending the completion and approval of any Retention Schedule applicable to an Administrative Unit, the Retention Periods listed should be observed for all Official University Records. Unless otherwise indicated, the time period listed in the following schedule indicate the period such records should be maintained as Stored Records (i.e. the retention period applicable after the records are no longer Active Records). Administrative Units that hold such records as Non-Essential Records (i.e. duplicate copies transmitted for informational purposes only) should destroy such records after they are no longer useful. The list below is not intended to be exhaustive, and questions concerning categories of records not included in the following list, or in a Retention Schedule for a particular Administrative Unit, should be addressed to the Office of the General Counsel.

Admission Records:	Un-enrolled applicants—3 years from date of decision. Enrolled students -- 5 years from graduation date.
Contracts:	7 years from date of final payment/performance
Employee Benefit Records:	Plan Documents and related filings/disclosures— Archive Employee/Eligibility Related – 7 years after termination

Faculty Personnel Records:	7 years after termination
Financial Aid Records	Application/Award materials: 5 Years after graduation Loan /Repayment records: One year after repayment
Financial/Accounting Records:	Annual Reports and related data: Archive Capital Equipment Records: Life of asset plus three years Other: 7 years after Active Record period
Governance Records (including Board Minutes and Votes) :	Archive
Law Enforcement records:	Incident /Investigations reports: 7 years Clery Disclosures and related data: Archive Daily Logs: archive
Intellectual Property:	Patent/Trademark Applications and correspondence: Archive Invention Disclosures: Archive Invention Assignments: Archive License/MTA Agreements: 7 years from expiration/termination
Medical records:	OSHA related: 30 years following termination Other employee-related: 6 years following termination Health Services records: 30 years after final treatment
Payment Card Data:	<b>No</b> payment card data may be retained after a transaction is successfully processed and reconciled. Once processed and reconciled, all data must be destroyed by cross-cut shredding or deletion.
Payroll Records:	Federal and State Information returns: 7 years Other: 3 years after termination of employment
Personnel Records (non-faculty):	7 years following termination
Planning and Construction records:	As-Built Plans: Archive Contracts for Design/Construction: 7 years after completion
Procurement (Purchase orders, etc.):	7 years
Real Estate Records:	Acquisition Documents (Deed, etc.): archive Tax Filings and Payments: 7 years after filing date Leases, Licenses, etc.: 7 years after expiration
Sponsored Programs Records:	7 years after completion of grant
Student Educational Records:	Transcripts: Archive Other: 5 Years after graduation/final withdrawal

Tax Records: All University State and federal filings (Form 990, etc): Archive  
All filing related work-files : 7 years after filing  
Payroll related information returns: 7 years after filing

University Advancement Records: Gift Agreements/Planned Giving documents: Archive  
Other gift records: 7 Years

#### 7. Email.

Email stored on the University email servers are Non-Essential Records for purposes of this Policy and shall be deleted according to schedules determined from time to time by Information Technology Services without regard to otherwise applicable Retention Schedules. In the event email messages are to be considered Official University Records under the Document Retention Program of an Administrative Unit, such emails shall be preserved either in hard copy or in electronic form in a manner complying with the requirements of paragraph 3 above. If made subject to a Litigation Hold all relevant email shall be promptly preserved under the direction of the University General Counsel.

#### 8. Ownership of University Records.

University Official Records are property of Boston College. No employee has any right in or to such records, nor shall any employee remove, limit access to, or destroy such records except in accordance with applicable University Policy.

Approved: William P. Leahy, S.J.

Date: December 12, 2011; Revised April 8, 2015