

## SCHOOL DISTRICT RECORDS

It is the policy of the Board of Education to inform members of the public about the administration and operation of the public schools in accordance with the Freedom of Information Law of the State of New York.

### **Retention and Destruction of Records:**

The Board hereby adopts as policy the Records Retention and Disposition Schedule ED-1 as promulgated by the Commissioner of Education, setting forth the minimum length of time district records must be retained. In accordance with Article 57-A, the district will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

The manner of destruction will be determined by the format of the record (i.e., paper, digital, etc.). In addition, destruction will be appropriately documented.

The Superintendent shall designate, with Board approval, a Records Management Officer, pursuant to law.

### **Litigation Hold:**

The Superintendent will establish procedures for retention of electronically stored information in the event that the school district reasonably anticipates that litigation may be commenced against it or the district is served with legal papers. The Superintendent will communicate with applicable parties, including the school attorney and the records management official, to ensure that, when appropriate, a litigation-hold is properly implemented. The litigation-hold is intended to prevent the destruction or disposal of records that may need to be produced as part of discovery. It is the intention of the Board of Education to comply with applicable rules and regulations regarding the production of necessary documents, data, files, etc. The Board directs the Superintendent to institute such procedures to implement this policy.

Cross-ref: 5500, Student Records  
6630, Financial Reports and Statements  
8111, Reporting of Hazards

Ref: Public Officers Law §84 *et seq.* (Freedom of Information Law)  
Education Law §2116  
Arts and Cultural Affairs Law §57.11  
Arts and Cultural Affairs Law Article 57-A (Local Government Records Law)  
Federal Rules of Civil Procedure, 16, 26  
8 NYCRR Part 185 (Appendix I) – Records Retention and Disposition Schedule ED-1

Adoption date: November 22, 1993  
Revised: January 22, 2008  
Revised: March 19, 2020