

Records Management

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Purpose

The purpose of ASI's Policy on Records Management is to describe the general principles and policy foundation of ASI's Records Management Program, as well as the responsibilities associated with the Program. This policy applies to anyone in the corporation who handles administrative records. This audience would include staff and elected and appointed officers, as well as those faculty members, students, volunteers, and others who may have occasion to handle administrative records in an official capacity.

In keeping with sound business practices and in support of its mission, ASI creates, gathers, and maintains operational and historical records of its activities. The objective of the Records Management Program is to ensure that, consistent with other ASI policies, applicable state and

federal laws, and ASI contracts, administrative records are appropriately managed and preserved, and can be retrieved as needed.

The Program is set forth in this policy and the accompanying regulations, in conjunction with other ASI policies and guidelines (i.e. Policy on Information Privacy and Security).

Policy Statement

It is the policy of the Associated Students, Incorporated that all administrative records are owned by the corporation regardless of their physical location, even when they are in the possession of individuals. With respect to the administrative records of all of its officers and employees whose regular or occasional performance of administrative duties puts them in possession of files, records, or documents pertaining to such duties, such files, records, or documents, including but not limited to correspondence, reports, writings, and other papers, records, maps, tapes, photographic files and prints, discs, CD's and DVD's, are the property of the Associated Students, Incorporated, and, as such, may not be permanently removed from ASI premises nor destroyed except in accordance with disposition schedules established by the Executive Director.

The policy consists of procedures that promote sound, efficient, and economical records management in the following areas:

- Creation, organization of, and access to records
- Maintenance and retention of administrative records
- Security and privacy of records
- Protection of records vital to ASI
- Preservation of records of historical importance
- Disposition of administrative records when they no longer serve their purpose
- Other functions ASI may deem necessary for good records management

Except as superseded by federal laws and regulations, and ASI contracts, this policy applies to all administrative records, regardless of their medium, owned by ASI.

The records management program shall be coordinated by the Executive Director in consultation with functional managers, ASI's certified public accountant, and ASI's legal counsel.

Who Should Know This Policy

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Budget Area Administrators | <input checked="" type="checkbox"/> Elected/Appointed Officers | <input type="checkbox"/> Grant Recipients |
| <input checked="" type="checkbox"/> Management Personnel | <input checked="" type="checkbox"/> Program Advisors | <input checked="" type="checkbox"/> Staff |
| <input checked="" type="checkbox"/> Supervisors | <input checked="" type="checkbox"/> Volunteers | |

Definitions

For purposes of this policy, the terms used are defined as follows:

Term	Definition
Active Record	A record that is necessary for the conduct of current business
Administrative Record	Any record that documents or contains valuable information related to the organization, functions, policies, decisions, procedures, operations, or other business activities of ASI
Archivist	The individual who is responsible for the preservation of ASI administrative records that deal with the history of the association
Disposition	The systematic treatment of records that have reached the end of their retention period. Options for disposition are transfer to Archives and disposal
Inactive Record	A record that is no longer necessary for the conduct of current business, but has not yet reached the end of its retention period
Long-term Retention	A retention period of more than five years (including permanent retention)
Non-record	Material that is of immediate value only. Non-records are not maintained as administrative records, are not assigned retention periods, and are not subject to records disposition guidelines (e.g. routing slips, worksheets, rough drafts, blank forms, courtesy copies, etc.)
Record	Any writing, regardless of physical form or characteristics, containing information relating to the conduct of ASI's business prepared, owned, used, or retained by an operating unit or employee of ASI. "Writing" means handwriting, typewriting, printing, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored. ¹
Record Custodian	The individual with responsibility for maintenance of a repository of records
Records Lifecycle	The three stages through which records are to be managed: (1) creation or receipt; (2) use; and (3) disposition.
Records Retention	The maintenance of records for prescribed time periods. See also: Long-term Retention and Short-term Retention
Records Retention Schedules	A corporate wide document that lists and governs the retention period and the disposition of identified records
Short-term Retention	A retention period of five years or less.
Vital Records	Records whose replacement would be impossible or prohibitively difficult and, thus, abridge, jeopardize, or otherwise affect a significant right of an individual, a significant right or asset of ASI, or the performance of an essential function

Regulations

1.0 Roles and Responsibilities for Records Management

All ASI employees, officers, and agents who handle administrative records are responsible for knowing and following laws and ASI policies and guidelines that govern those records. The Office of the Executive Director has corporate-wide responsibility for executing records management and information practices policy. The Executive Director is charged with promulgating guidelines and procedures for implementation of the program, including development and maintenance of record retention schedules. Consistent with sound business practices, university policy, and applicable law, the Executive Director shall determine which records will be created, gathered, and maintained to attain the goals and meet the fiscal and legal obligations of the Associated Students, Incorporated.

¹ Definition is modeled on language contained in the California Public Records Act (see Ca. Govt. Code § 6252(e) and (f))

1.1 Record Custodian

The employee of an ASI department or unit that has been designated by the department manager to maintain the records of that department or unit shall serve as the Record Custodian. The Custodian shall be responsible for ensuring their department's compliance with ASI's Records Management Program.

1.2 ASI Archivist

The ASI Archivist shall be responsible for the preservation of administrative records that deal with the history of ASI. The Archivist shall collect, preserve, administer, and control access to records of enduring value, concentrating on records documenting ASI's decision-making processes and the historical development of ASI programs and operations.

2.0 Vital Records

A record shall be considered "vital" when the replacement of a lost or unavailable record would be impossible or so prohibitively difficult that extraordinary precautions are required to preserve and protect that record from both normal and unusual hazards, both present and potential.

ASI shall assure of the protection of its vital records through:

- Establishing criteria for the identification of vital records
- Selecting secure and economical methods of protection
- Continually reviewing and reappraising records to discover changing conditions and adjusting requirements for protection

Adherence to these guidelines is intended to ensure that vital records of ASI are reasonably protected as far as is economically possible from such hazards as fire, flood, and vandalism.

2.1 Criteria for Identification of Vital Records

Three kinds of records shall be classified as vital:

- 1) Records that are essential to the protection of the rights of individuals
- 2) Records which are essential to the protection of ASI's rights, assets, and/or the execution of its contractual obligations
- 3) Records that ASI is legally obligated to maintain in perpetuity (permanent records)

Examples of the first type of vital records are current payroll records necessary to pay employees and employee service records required for protection of retirement status.

The second type of vital records is exemplified by drawings and specifications required to repair and maintain ASI's facilities; records necessary to establish ASI's ownership or leasehold interest in buildings, equipment, and land; trademarks; license agreements; and evidence of funds receivable.

Exact identification of the first two types of records as vital can be accomplished only through professional judgment. Record Custodians are most able to apply such judgment.

The third type of record is defined by state and federal law. These are records that ASI is legally required to maintain for the duration of its existence.

2.2 Pre-identified Vital Records

This following list identifies alphabetically those records held by ASI that have been determined to be vital. For ease of reference, these records are also annotated in the Records Disposition Schedules by the symbol (V) once the office of record indicates a vital record.

- Agendas and minutes of Boards, Commissions, and Committees (see 2.2.1)
- Articles of Incorporation
- As-built Drawings
- Bylaw Amendments
- Cancelled checks from payment of taxes
- Constitution and Bylaws
- Correspondence with Attorney
- Customer Records
- Endowments, Gift, Bequest Files
- Equipment Inventory Records
- Facility Blueprints
- General Ledger (including Chart of Accounts)
- Gift and Other Donation Files
- Ground Leases
- Health Plan and Life Insurance Enrollment, Changes and Cancellations
- Independent Auditor's Reports and Audited Financial Statement
- Insurance Claims
- Insurance Policies
- IRS Determination Letters and related correspondence
- Judicial Decisions
- Legal Opinions
- Licensing Agreements and related financial records
- Litigation Records
- Master Payroll Files
- Operating Agreement and Lease between Associated Students and CSU Trustees
- Ownership Records of Vehicles, Vessels, and Other Major Assets
- Patents and Trademarks
- Payroll Records
- Personnel Folders
- Promissory Notes and Evidence of Other Receivables
- Resolutions
- Retirement Benefit Records
- Tax Returns and related correspondence
- USU Subleases
- Vendor Records
- Volunteer Records

Departments holding master copies of these pre-identified records have the responsibility to ensure they are protected in accordance with these guidelines. This list of pre-identified vital records is not intended to be all-encompassing. Additional records may be classified as vital upon approval by the Executive Director.

2.2.1 Official Minutes

The Associated Students, Incorporated has many boards, commissions, and committees which either advise ASI management or directly conduct the corporation's business. Accurate and complete records must support all official meetings. Such records have value as legal instruments and management aids. The utmost care shall be given to their development and safekeeping. The following minimum standards shall be met if the minutes are to be used for official purposes:

- 1) The secretary of the meeting should send each member a copy of the minutes of each meeting as soon as possible after each meeting, and at least 72 hours before the next meeting, or within two weeks following any meeting. Each member should review the minutes for errors or omissions so that corrections may be quickly made at the next meeting.
- 2) Corrections of errors or omissions should be explained in the minutes of the next meeting.
- 3) The minutes of the previous meeting should be approved at the next meeting. This approval should be recorded in the minutes along with the date of the previous meeting. After formal approval, the minutes must be signed by the presiding officer and secretary at a minimum.
- 4) The official record of the minutes should be kept in book form, either bound or loose leaf.
- 5) Upon completion of the fiscal year, minutes shall be transferred to ASI Archives.
- 6) Upon completion of a ten-year retention period, ASI Archives shall transfer minutes to the University Archives.

2.3 Responsibilities

Each individual department is responsible for reviewing its records in relation to the guidelines set forth in this policy, identifying by title those records which are vital, and advising the Executive Director of the identity of the vital record and the type of protection given to it. This information shall be documented using the Records Inventory Worksheet. Reporting on vital records is mandatory. In cases where protection is not provided for any vital record, a short explanation should be provided to the Executive Director.

The Executive Director is responsible for the overall management and review of the vital records protection program. He/She will prescribe the required frequencies of vital records reports, which shall be no less than once every five years.

3.0 Records Retention and Disposition

Management of the retention and disposal of administrative records is another component of ASI's Records Management Program. Except as superseded by state or federal laws and regulations, and ASI contracts, the retention and disposition program shall apply to all administrative records held by ASI, regardless of their medium.

- Through the disposition program, ASI shall retain records long enough to satisfy internal and external requirements, but not so long as to incur unnecessary costs or burdens.

3.1 Identification of Administrative Records

Administrative records determined to have value in one or more of the following areas shall be managed (e.g., assigned retention periods) under ASI's record disposition program:

■ **Business Operations**

Records needed to perform current or future activities in support of the administrative functions for which an operational unit is responsible

■ **Evidence and Accountability**

The record contains evidence of legally enforceable rights or obligations of ASI; or is needed to fulfill statutory and regulatory requirements; or pertains to financial transactions and is needed for audit purposes

■ **Preservation of ASI History**

The record has enduring historical value to ASI because it reflects historical events or documents the history or development of the corporation

3.2 Identification of Non-records

Non-records are defined as materials that are of immediate value only. Non-records may share some characteristics with administrative records; however, they are distinguished from administrative records by their transitory usefulness. Some examples of non-records are:

- Transmittal letters and acknowledgments which do not add any information to the material transmitted.
- Requests for printed material after the requests have been filled
- Informal notes, worksheets, and rough drafts of letters, memoranda or reports that do not represent basic steps in the preparation of documents
- Shorthand notes, including stenographic notebooks and stenotype tapes, and dictating media which has been transcribed
- Miscellaneous notices of campus events, employee meetings or holidays
- Stocks of publications or unused forms that are kept for supply purposes only
- Tickler, follow-up or suspense copies of correspondence
- Library and reference material

Non-records shall not be managed under ASI's records management program. They should be disposed of once their period of immediate usefulness has passed. If not disposed of, non-records may be subject to disclosure (e.g., under the California Public Records Act, Information Practices Act, or discovery of evidence in a legal proceeding).

3.3 Retention Schedules

The ASI Records Retention Schedules govern the retention of records corporate-wide. Current versions of the Schedules shall be published online and shall be accessible to any ASI employee with record-keeping responsibilities. The Schedules shall be followed by all ASI units.

To facilitate consistent treatment across the corporation, administrative records that serve the same business purpose shall be organized by purpose or function. The Schedules apply to the authoritative (original) copy of the record controlled by the Record Custodian, not to extra copies that may be created for convenience or informational purposes.

3.3.1 Contents

Within broad functional categories, records shall be described by the business purpose they serve. Each descriptive group shall contain the following elements:

- A description of the function or business purpose of the records,
- A retention period, stated in years, or as “permanent,”
- Retention period details, such as “following completion of project” or “after superseded”, as appropriate
- An indicator if some records in the group might be subject to longer retention pursuant to federal contract and grant requirements,
- An indicator if the record group requires special treatment accorded to ASI’s vital records, and
- Archival instructions, if any

3.3.2 Creation of New Schedules

The Executive Director in consultation with operational managers may make additions and revisions to the Schedules as needed. Proposals to add to or revise existing Schedules should include recommendations for each relevant Schedule element (Section 2.5.1) and in addition:

- Justification for the proposed addition or revision (e.g., why the record needs to be managed: a description of its value to the corporation), and
- A description of the coordination that has taken place (who has approved, endorsed, and/or been consulted about the proposed retention period).

3.4 Records Not in the Schedules

Many records exist throughout ASI that are outside the scope of this policy. The Executive Director is the primary contact for advice on whether a given record is omitted from the Schedules due to scope or some other reason (e.g., differing interpretation, or new record for which no appropriate model exists).

If the Executive Director determines that a record should be added to the Schedules, the retention period of the record should be assumed to be the longer of the proposed retention

period, or four years. This retention period will remain in effect until a final determination is made.

3.5 Record Disposition

3.5.1 Determining Disposition Date

Retention periods are counted from the last day of the fiscal year during which the record was created, unless other instructions (e.g., "3 years from termination," "1 month after last modified") are noted. Disposition would normally occur following the end of the fiscal year that marks the end of the retention period.

The manner in which records are organized – in a set, for example – may prevent the carrying out of disposition for some records until the end of the retention period is reached for all records in the set.

3.5.2 Timely Disposal

Records shall not be retained beyond their specified retention period, except as otherwise provided below. Failure to carry out timely disposal can lead to the unnecessary expenditure of resources to store, maintain, search for, and produce records. In addition, when records may legitimately be disposed of at the end of their retention period, but disposal is not carried out, such records remain subject to possible future requests under statute or legal proceedings (e.g., California Public Records Act, Information Practices Act, or discovery of evidence in a legal proceeding).

3.5.3 Cautions Regarding Disposal

Record disposal must take into account the nature of the record contents. When called for – for example, in the case of confidential documents – record contents are to be rendered irretrievable by shredding or other means. Disposal and destruction techniques and considerations are discussed in ASI's Information Privacy and Security policy.

Even if records have reached or exceeded the end of their retention period, there may be conditions under which their disposal *must* be deferred. These include:

- 1) External requirements under state and federal laws or regulations and ASI contracts or grants override ASI retention periods, where applicable.
- 2) Records that have been requested pursuant to legal proceedings (e.g., discovery of evidence in a legal proceeding) must not be disposed of while the matter is ongoing
- 3) Records that have not yet been requested, but are deemed likely to be requested pursuant to statute or legal proceedings, including potential litigation, must not be disposed of without prior consultation with legal counsel
- 4) Records related to any ongoing investigation must not be disposed of without prior consultation with legal counsel

The intentional disposal of records to avoid their disclosure may be punishable by disciplinary action or civil or criminal penalties.

3.5.4 Archives

Archival Instructions

The Schedules contain archival instructions for some record groups. ***In all cases where an archival instruction appears, Record Custodians and others in possession of such records must contact the Archivist prior to physically transferring any records.***

Depending upon the wording of the instruction, acceptance of the records at disposition time by the Archivist is either optional or required. The three types of archival instructions are:

- 1) **Subject to Archives Review.** Records designated in the Schedules as “subject to Archives review” must be offered to the Archivist as instructed. It is the Archivist’s option to accept and retain such records, to accept and retain a portion of the records, or not to accept the records.
- 2) **Transfer to Archives at the End of Retention.** Records with a specified retention period other than “permanent” are to be transferred to Archives at the end of the stated period. The Archivist is required to accept the records.
- 3) **Transfer “Permanent” Retention Records to Archives After a Specified Period.** All records with a retention period of “permanent” are indicated for transfer to Archives. Usually, the time at which records are to be transferred is indicated in the instruction (e.g., “transfer to Archives after 10 years”). The Archivist is required to accept such records. According to archival practice, permanent administrative records will be preserved at Archives in their original order, if the order is evidence of administrative practice.

Access to Records Transferred to Archives

Limitations on access to the records by archives users, consistent with state and federal law, may be negotiated between the Record Custodian and the Archivist. Records transferred to Archives remain the property of ASI and are administrative records, not general library materials. Records become part of the archive’s holdings upon their transfer.

Archival Interest in Records Not In the Schedules

The Archivist may be contacted for appraisal of the archival value of records omitted from the Schedules due to scope or for other reasons.

4.0 Public Access to Records

It has been determined by the CSU Office of General Counsel that the records of auxiliary organizations, including ASI, are not subject to disclosure under the California Public Records Act. Accordingly, no ASI record shall be subject to public disclosure unless it has been identified by ASI as a public record or is otherwise subject to public disclosure by state or federal law. Under no circumstances shall ASI disclose any record meeting the definition of “confidential information” described in ASI’s Policy on Information Privacy and Security. Individuals who, regardless of intent, make available to the public any record not identified as “subject to public disclosure” may be subject to disciplinary action, up to and including termination of employment or suspension or expulsion from the university.

Forms

The following forms are to be used in the execution of this policy.

Form Name	Purpose	Responsible Office	Approved By	Timeline for Submission
Records Inventory Worksheet	To inventory the administrative records maintained by an ASI department or unit, describe their retention period, and indicate any special treatment required (e.g. vital, confidential, or permanent records)	Office of the Executive Director	Record Custodian and Department Supervisor	Initial inventory must be completed by 09/30/05 and update every five years or whenever changes occur to the records maintained or the personnel responsible for their maintenance
Records Transfer Request	To request the transfer of records to inactive storage in either USU-300S or in USU-220	Office of the Executive Director	Record Custodian, Department Supervisor, and Executive Director or designee	Must be complete at least five (5) business days prior to the desired date of transfer. Approval is subject to availability of space and the security requirements of the collection.