Public Records, Retention, Release, and Disposition Policy 5070/7350

Full View

1. Purpose

The purpose of this policy is to establish guidelines for the retention, maintenance, and disposition of records at ENCSD in compliance with the North Carolina Functional Schedule for 2025, North Carolina Public Records Law (N.C.G.S. 132), Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. §1232g), Health Insurance Portability and Accountability Act (HIPAA, 45 CFR Parts 160 & 164), and state cybersecurity regulations. Each department is responsible for ensuring accurate record-keeping and secure management of records in accordance with state and federal regulations.

2. Scope

This policy applies to all ENCSD departments, including Academics, Administration, Nutrition, Boarding, Maintenance, Housekeeping, Business Office, Human Resources (HR), Student Health Center, School Psychologist, School Social Worker, School Speech Pathologist, ENCSD Museum, and Information Technology (IT).

3. General Records Management Guidelines

- All records must be retained according to the current North Carolina Functional Schedule, specifically:
  - Student records (academic, disciplinary, health): Retained permanently or as outlined in the schedule per NC Retention Schedule.
  - Personnel records (employment history, benefits, evaluations): Retained for 30 years after separation per N.C.G.S. 126-22.
  - Financial records (budgets, audits, payroll): Retained for 5-10 years, depending on document type, per N.C.G.S. 132-3.
  - Facility and safety records (maintenance logs, incident reports, compliance records): Retained for 5-25 years, based on regulatory requirements.

      ○ General correspondence and administrative reports: Retained for 3-5 years, unless deemed historically significant.

- Digital records must be stored securely with appropriate access controls, following NC Department of Information Technology (DIT) security guidelines.
- Physical records must be stored in designated areas with restricted access, ensuring protection from damage or unauthorized access.
- Confidential records must be handled in accordance with FERPA, HIPAA, and state privacy laws.
- Outdated records must be disposed of properly, either by shredding (physical) or secure deletion (digital) as per the functional schedule.
- Public records, including emails and text messages related to school business, are subject to disclosure under N.C.G.S. 132-1.

4. Best Practices for Record Maintenance

A. Using Logs for Record Tracking

- Departments should maintain a record log (example below) detailing the date of creation, retention period, responsible staff member, and final disposition date.

Agency: _____ Department/Division: _____

Prepared by: _____ Email: _____ Phone: _____ Date Completed: _____ Date Revised: _____

		Records Inventory						Retention Schedule Information				Destructions Log		
Location	Record Title	Description	Copy Type	Inclusive Dates	Volume	Electronic Copy?	Applicable Retention Schedule	Corresponding Retention Schedule Item	Disposition Instructions	Applicable Citations	Date	Method	Authorization
Location of records	*Brief reference for each record series*	*Description of records including their purpose and use*	*Are these Record, Reference, or Transitory Copies, or are you not sure?*	*Earliest and latest known dates*	*What is the amount of records?*	*Does an electronic copy exist?*	*Title of schedule used to determine disposition*	*Corresponding item on the applicable retention schedule*	*Disposition instructions as listed on the schedule*	*Confidentiality or other applicable legal citations*	*When the records were destroyed*	*Method of destruction*	*Who authorized the destruction?*
Filing cabinet in HR storage room	Employee Exit Interviews	Completed exit interviews with employees that are separating from the agency.	Record	01/15/2001-0 5/29/2022	1 filling cabinet	No	General Records Schedule for Local Government Agencies	4.17/ Exit Interview Records	Destroy in office after 1 year.	G.S. 115C Art. 21	10/27/2023	Shred	John Smith

- Logs should be reviewed annually to ensure compliance with retention schedules.
- Any changes to a record's status (transfer, archive, disposal) must be documented in the log.

B. Best Practices for File Naming

- Use a consistent naming convention to improve accessibility and organization.
- Recommended format: [Department]*[RecordType]*[Date]_[UniqueIdentifier] (e.g., HR_EmployeeFile_2025_JohnDoe).
- Avoid special characters and spaces in file names; use underscores instead.
- Include version numbers if multiple versions of a document exist (e.g., _v1, _v2).

C. Emails and Personal Device Usage

- Emails related to official school business are considered public records and must be archived per the NC Functional Schedule.
- Staff should use ENCSD-issued email accounts for all work-related communications; personal email accounts should not be used.
- Personal devices used for work (phones, tablets, laptops) may be subject to public records requests if they contain school-related communications per [N.C.G.S. 132-1](#).
- If a personal device is used, all work-related communications must be forwarded to an official ENCSD account and stored appropriately.
- Avoid texting work-related information unless absolutely necessary; if used, maintain a copy of all work-related texts in an official record-keeping system.

5. Electronic Filing System

A. Setting Up the Electronic Filing System

- All records will be stored in a secure cloud-based document management system with controlled access.
- Each department will have a designated folder structure aligned with retention schedules and security policies.
- Access permissions will be granted based on role-based authorization to ensure confidentiality and compliance.
- Files will be tagged with metadata, including date of creation, retention period, and department, to facilitate easy retrieval and tracking.
- Regular data backups will be performed to prevent data loss.

B. Organizational Hierarchy for Electronic Files

1. ENCSD Records (Root Folder)
    - 1.1 Academics
        - Student Grades
        - Attendance Records
        - IEPs
        - Curriculum Materials
    - 1.2 Administration
        - Meeting Minutes
        - Policies & Procedures
        - Accreditation Reports
    - 1.3 Business Office
        - Financial Reports
        - Payroll Records
        - Budget Documents
    - 1.4 Human Resources
        - Employee Records
        - Evaluations & Contracts
        - Benefits & Retirement
    - 1.5 Student Health Center
        - Medical Records (HIPAA Compliant)
        - Therapy & Counseling Records
    - 1.6 ENCSD Museum
        - Historical Documents
        - Exhibit Records
        - Donation Records
    - 1.7 Facilities & Maintenance
        - Safety Inspections
        - Incident Reports
        - Maintenance Logs
    - 1.8 Information Technology (IT)
        - System Security Logs
        - Software Licenses
        - Network Infrastructure Records
        - Equipment Inventory
        - User Access and Permissions Logs

6. ENCSD Records Maintenance Procedure

To Be Conducted Every January and June

1. Review of Active Records
   - Each department reviews all active records and updates status (retained, archived, or scheduled for disposal).
   - Ensure all records are logged in the department record log with proper tracking information.
2. Audit Electronic Filing System
   - Verify that all digital records are properly named and filed according to ENCSD's naming conventions.
   - Remove duplicate or outdated versions of documents unless retention policies require them to be kept.
   - Check access permissions and update as needed for staff changes.
3. Physical Records Review
   - Confirm that all paper records are stored in appropriate locations (secure cabinets, designated archive areas).
   - Check for signs of damage, unauthorized access, or missing files.
   - Label and organize records for easy retrieval.
4. Update Compliance Logs
   - Verify and update record logs to reflect changes in document status.
   - Ensure all necessary communications and transactions related to records are documented.
5. Prepare for Disposal or Archiving
   - Identify records that have met retention schedules and are due for disposal.
   - Follow secure shredding procedures for physical records.
   - Digitally delete expired electronic records using secure deletion methods.
   - Ensure that historically significant records are properly archived.
6. Training & Reminders
   - Conduct a brief department meeting to remind staff of proper record management procedures.
   - Address any common mistakes or issues observed during the audit.
   - Provide updated guidance on compliance expectations.
7. Report to ENCSD Records Management Office
   - Submit an updated records status report for department review.
   - Address any issues with non-compliance or missing records.
   - Schedule any needed follow-up training or corrective actions.

Records Compliance Checklist

For Departmental Use – Ensuring Compliance with ENCSD's Records Management Policy

Instructions

Each department must complete this checklist to ensure their records align with ENCSD's Records Management Policy & Procedures.

This process will help bring existing records into compliance with the current North Carolina Functional Schedule.

General Compliance Tasks (All Departments)

Review Functional Schedule

	Ensure all staff understand record retention, storage, and disposal guidelines
	Confirm compliance with FERPA, HIPPA, and NC Public Record Laws.

Audit Physical & Digital Records

	Identify and document all existing records in the department
	Verify that records are stored in designated filing systems
	Ensure confidential records are stored securely with restricted access

Update & Standardize Record Naming and Organization

	Rename files using ENCSD's standard naming conventions DEPARTMENT_FileName_Year_ HR_EmployeeFile_2025_JohnDoe
	Organize electronic records into the department's designated folders
	Archive historical or inactive records as per NC Functional Schedule

Verify Retention & Disposal Schedules

	Cross-Check records against the retention schedule to determine what to keep, archive,
	Document records eligible for disposal and prepare them for secure shredding or deletion

	Confirm historically significant records are archived properly

Securely Handle Emails & Personal Devices

	Ensure work-related emails are stored in official ENCSD accounts
	Move critical email records to designated department folders
	Inform staff that work-related content on personal devices is a public record and must be

Confirm Department Staff Roles & Responsibilities

	Assign a Records Compliance Contact Person within the department
	Train staff on record maintenance best practices and compliance
	Establish a quarterly check-in process to stay compliant

Department Specific Tasks

Academics

	Ensure all cumulative folders are complete and in order
	Ensure all student records are stored and retained properly
	Move outdated student records to archival storage or disposal per Functional Schedule ar Management policy
	Secure confidential records in compliance with FERPA

Administration

	Organize meeting minutes, policies and administrative reports
	Verify retention schedules for policy updates and accreditation reports
	Archive important historical documents for institutional memory

Business Office

	Verify retention of budget reports, payroll records, and financial audits
	Securely dispose of outdated financial documents
	Ensure records of purchases and transactions comply with state audit requirements

Human Resources

	Ensure employee files, contracts, and benefits records follow retention policies

	Securely store confidential personnel evaluations and disciplinary actions
	Verify that separated employees' files are maintained for 30 years post-separation

Nutrition Services

	Maintain meal program records and compliance reports
	Secure health and allergy-related records for students and staff
	Dispose of expired inventory and financial reports per retention guidelines

Boarding Program

	Organize student housing records and incident reports
	Ensure compliance with behavior documentation and safety protocols
	Archive or securely dispose of records per retention schedules

Maintenance & Housekeeping

	Review maintenance logs, safety inspections, and work orders
	Store compliance reports related to building codes and OSHA requirements
	Dispose of outdated non-essential maintenance records

Student Health Center, School Psychologist, Social Worker, Speech Pathologist

	Ensure medical, counseling, and therapy records are secured per HIPAA & FERPA
	Archive older health records based on student age and retention policies
	Properly dispose of expired medical supply records and outdated reports

ENCSD Museum

	Verify and catalog historical records, artifacts, and donation records
	Maintain detailed logs for exhibits and conservation reports
	Ensure proper archival storage and digitization of significant materials

Information Technology (IT)

	Ensure system security logs, software licenses, and network records are retained per gui
	Secure access logs for user permission and IT compliance
	Review and update cybersecurity and backup procedures

Final Review & Reporting

Department Head Review	
	Verify that all checklist items have been completed
	Any outstanding compliance issues or gaps have been addressed
Submit Compliance Report	
	Provide this form update to the Executive Assistant
	Schedule follow-up training or corrective actions if necessary

Completion Date: _____

Reviewed by (Department Head): _____

Submitted to (Records Management Office): _____

Appendix

Definitions

1. **North Carolina Functional Schedule** – The North Carolina Functional Schedule for Local and State Agencies is a standardized records retention and disposition schedule that outlines how long various types of records must be retained by public agencies, including schools. It replaces previous schedules that categorize records by department and instead organizes them based on function (e.g., student records, financial records, personnel records). This schedule ensures compliance with North Carolina Public Records Law (N.C.G.S. 132) and other applicable state and federal laws.

2. **North Carolina Public Records Law** ([N.C.G.S. 132](#)) – This law defines public records as all documents, emails, photographs, recordings, or other materials created or received by a public agency in the course of business. It mandates that these records be maintained, retained, and made accessible to the public unless exempted by law (e.g., FERPA for student records, HIPAA for health records). This law also dictates the proper disposal of public records, which requires authorization from the NC Department of Natural and Cultural Resources (DNCR) before destruction.

- **FERPA (Family Educational Rights and Privacy Act)** – A federal law that protects the privacy of student educational records and grants parents and eligible students' rights regarding access to those records.

- **HIPAA (Health Insurance Portability and Accountability Act)** – A federal law that establishes standards for protecting sensitive patient health information, including records maintained by the Student Health Center.

3. **Reference Copy** – A non-official copy of a document that is kept for informational purposes only. Reference copies do not serve as the official record and should not be retained beyond their immediate use. These copies are not subject to retention requirements and can be discarded when no longer needed.

4. **Transitory Copy** – A temporary record that has short-term administrative value but does not need to be retained for legal, historical, or operational reasons. Examples include drafts, routine emails, meeting reminders, and duplicate copies. These records can be deleted or discarded when no longer needed, as they are not considered part of the agency's permanent records.

5. **Record Copy** (Official Copy) – The primary or official version of a record that must be retained according to the NC Functional Schedule. The record copy is legally required to be maintained and is subject to public records law, audit requirements, and disposal regulations. Each department is responsible for maintaining the record copy of documents within their function.

6. **Retention Schedule** – A document that specifies how long records must be kept before they can be destroyed or archived. The North Carolina Functional Schedule serves as the official retention schedule for public agencies in the state. Retention periods vary based on legal, historical, and operational needs, and records cannot be destroyed before their required retention period has expired.

7. **Transfer of Records** – The process of moving records from one storage location to another. This may include:

- Internal Transfer – Moving records between ENCSD departments for continued use.
- Archival Transfer – Sending records to the NC State Archives if they have historical significance.
- Off-Site Storage Transfer – Moving records to a secure external storage facility for retention before disposal.

8. **Archiving Records** – The process of preserving records of historical, administrative, or legal significance beyond their active use period. Archived records

are permanently retained and stored in a designated archival repository, such as the NC State Archives or an ENCSD digital archive. Examples of archived records include historical student records, accreditation documents, and institutional policies.

9. **Disposal of Records** (Acceptable Methods) – The proper destruction of records that have met their retention period, in compliance with NC public records laws. Acceptable methods include:

- Physical Records:
    - Shredding – Required for confidential or personally identifiable information (PII).
    - Recycling – Allowed for non-confidential paper records.
    - Incineration – Permitted for highly sensitive documents when shredding is not feasible.
- Digital Records:
    - Secure Deletion – Using data-wiping software to permanently remove electronic records.
    - Overwriting – Replacing existing data with random information to prevent recovery.
    - Physical Destruction of Storage Media – Destroying hard drives, USBs, and CDs when necessary.

10. **Organizational Hierarchy for Electronic Files** – A structured system for organizing digital records within an electronic filing system to ensure consistency, accessibility, and compliance with the NC Functional Schedule. Best practices include:

- Root Folder: ENCSD Records
    - Subfolders by Function (not department) (e.g., Financial Records, Student Records, HR Records)
    - Subcategories by Record Type (e.g., Payroll, Budget Reports, Employee Evaluations)
    - File Naming Conventions (e.g., HR_EmployeeFile_2025_JohnDoe to ensure clarity and retrieval efficiency)
- Access Controls: Restricting file permissions to authorized personnel based on role and security requirements.
- Metadata Tagging: Adding dates, retention periods, and department identifiers to facilitate record retrieval.

Book traversal links for Policies

- [‹ Internet Safety Policy 3225/4312/7320](#)
- [Up](#)
- [Leave Accrual and Use Policy 7510 ›](#)

[Policy](#)