

Policy Outline

- I. Policy Value Statement
- II. Purpose
- III. Standards
- IV. Responsibilities
- V. Delegation of Authority
- VI. Definitions
- VII. References
- VIII. History

I. Policy Value Statement

The Board of Education of Howard County (Board) is committed to managing and maintaining a uniform, systemwide records management program that communicates expectations regarding the creation, maintenance, retention, and disposition of Howard County Public School System (HCPSS) records. The Board recognizes that effective records management provides significant benefits to HCPSS, including the efficient and timely retrieval of records, the secure disposition of records, the preservation of historical and vital records, the promotion of transparency, and the protection of the legal rights of students, HCPSS employees, the community, and the government.

The records management program is regulated by this policy, by the implementation procedures, as well as the Records and Information Disposition Schedules (RIDS). The RIDS set the Board's classification and retention standards for HCPSS records.

II. Purpose

The purpose of this records management policy is to establish systemwide standards and procedures as well as provide guidance to schools and administrative offices regarding the maintenance, retention, and disposition of records.

III. Standards

- A. HCPSS school system officials are responsible for records in their custody which are the property of HCPSS.
- B. HCPSS will manage and maintain a records management program that aligns with State and federal laws and regulations.
- C. To manage and maintain a records management program, HCPSS will:

1. Establish uniform, systemwide guidance and procedures for the creation, maintenance, use, and disposition of HCPSS records;
 2. Provide information to support decision making and to respond to inquiries from internal and external sources in a timely manner;
 3. Develop and maintain State approved RIDS in accordance with State and federal laws. This includes changes in the legal retention of records, new record series being created, and other changes that may affect the retention of HCPSS records;
 4. Identify, preserve, and protect vital records necessary to continue operations in an emergency;
 5. Identify and transfer any records in the custody of HCPSS school system officials to the appropriate records custodian, or the person assuming responsibility for the work when individuals have a change in employment status or role in the HCPSS;
 6. Provide guidance and procedures for storing inactive records in off-site records facilities;
 7. Provide guidance and procedures for storing inactive records in secure locations with HCPSS offices, departments, and schools;
 8. Provide guidance and procedures for the destruction of inactive records that have met their retention and have no archival value;
 9. Require annual records management training for all HCPSS Board members and school system officials as appropriate to their responsibilities; and
 10. Review each office, department, and school's current RIDS annually.
- D. HCPSS Board members and school system officials will comply with the RIDS as their systemwide tool to identify and manage records created and maintained by the HCPSS.
- E. HCPSS offices and departments will identify and protect HCPSS vital records.
- F. HCPSS records custodians will complete an HCPSS Off-site Transfer Request or Retrieval Form and obtain approval from the records officer (RO) prior to transferring or receiving records from an off-site storage facility.
- G. HCPSS offices, departments, and schools will notify the Records Management Oversight within the Office of the Deputy Superintendent of any upcoming office/department relocations, to start the planning process to transfer, relocate, and decide the disposition records well ahead of time.

- H. HCPSS Board members and school system officials will follow procedures for off-site storage, transfer, and retrieval of HCPSS records.
- I. HCPSS school system officials will follow Board policy and State law to allow for efficient compliance and timely responses to any requests for records pursuant to the Maryland Public Information Act (MPIA), litigation hold notices, internal or external investigations, court orders, or other requests for HCPSS records.
- J. HCPSS Board members and school system officials who fail to maintain the confidentiality of confidential records are subject to disciplinary action.

IV. Responsibilities

- A. The Superintendent will designate a RO to serve as liaison to the Howard County Records Management Division and to the Maryland State Archives.
- B. The Superintendent/designee will develop and administer protocols related to the HCPSS records management program.
- C. The Superintendent/designee will initiate appropriate action to recover records removed unlawfully or without authorization.
- D. The RO will serve as the primary records management contact for all HCPSS records.
- E. The RO will provide oversight, leadership, and management of the HCPSS records management activities in coordination with HCPSS officials, including records management training.
- F. The RO will develop, review, maintain, and update the RIDS in accordance with State and federal laws for HCPSS records.
- G. The RO will submit a Certificate of Records Destruction Form to the Maryland State Archivist to allow the disposal of authorized records that have met their retention period.
- H. Each HCPSS office, department, and school will identify an individual to serve as its records liaison. The records liaison will assist the RO in the coordination of records management activities.
- I. HCPSS Board members and school system officials will:
 - 1. Adhere to the records management program requirements and RIDS concerning the HCPSS records they create, use, maintain, and destroy;

2. Adhere to the RIDS for records retention, unless a specific record is subject to litigation hold as defined, has been subpoenaed, or is the subject of a public information request pursuant to the MPIA;
3. Contact the HCPSS RO if records retention requirements have changed and need to be updated in the RIDS;
4. Report any actual or threatened unlawful removal, defacing, alteration, or destruction of records to the Superintendent/designee; and
5. Follow the systemwide procedures for the disposition of HCPSS records in accordance with the RIDS and the Maryland Student Records Manual.

V. Delegation of Authority

The Superintendent is authorized to develop appropriate procedures for the implementation of this policy within the limits set forth by this policy.

VI. Definitions

Within the context of this policy, the following definitions apply:

- A. Certificate of Records Destruction – Formal assertion, in writing, that signifies records have been destroyed.
- B. Confidential Record – A HCPSS record not intended to be shared with unauthorized users.
- C. Destruction – The disposal of records through shredding, deletion, or other methods once the record has passed its retention period.
- D. Disposition – Processes associated with implementing records retention, destruction, or transfer as documented in RIDS.
- E. Documentary Material – Any materials in which information is recorded.
- F. HCPSS Employee – Any individual who is a permanent or temporary employee of the HCPSS whose compensation is paid in whole or part by the Board, including but not limited to, school-based administrators, teachers, substitute teachers, paraeducators, and other school-based and Central Office support staff.
- G. Historical Record – A HCPSS record that documents the source, development, structure, and procedures over time that are considered by rule, school system officials, or the Maryland State Archivist to have administrative, fiscal, legal, or other archival value. Examples include, but are not limited to, policies, organizational charts, Board meeting minutes, and strategic plans.

- H. Inactive Record – Documentary material that is no longer needed for the conduct of business.
- I. Litigation Hold – A process used by an organization to preserve all records relevant to potential or actual litigation.
- J. Preservation – The act of protecting records against damage or deterioration.
- K. Record – Any documentary material created or received by the Board, a HCPSS school or office, or a school system official in connection with the transaction of HCPSS business. A record includes any form of documentary material, including but not limited to paper documents, electronic documents, microfilm, drawings, maps, videos, pictures, and any other documentary material in any format, in which business information is created or maintained.
- L. Record Series – A group of files or documents kept together because they relate to a particular subject or function, result from the same activity, document a specific type of transaction, take a particular physical form, or are related through their creation, receipt, maintenance, or use.
- M. Records and Information Disposition Schedules (RIDS) – The official document that identifies all HCPSS records and specifies which records should be preserved permanently and which are deemed temporary and can be destroyed after a certain period of time because they are obsolete or superseded. The RIDS provide ongoing authorization for the secure transfer of HCPSS records from offices and schools to storage facilities, along with the destruction instructions for obsolete records and the preservation of historical and/or vital records.
- N. Records Custodian – A school system official responsible for maintaining a record and adhering to maintenance and disposition, consistent with State and federal requirements.
- O. Records Liaisons – School system officials selected to be the primary contacts for the records officer (RO) and who coordinate records management activities for their offices, departments, or schools.
- P. Records Officer (RO) – The person designated by the Superintendent whose responsibilities include, but are not limited to, coordinating the HCPSS records management program and monitoring records management activities.
- Q. Retention Period – The duration of time for which a record series will be retained before final disposition in accordance with the RIDS.
- R. School System Official – A person employed by the HCPSS or a person or organization contracted by the HCPSS to perform a special task (an attorney, auditor, school resource officer, medical consultant, or therapist).

- S. Vital Record – The designation of a record indicating that it is necessary to the resumption of essential HCPSS activities and business continuity in the event of a natural or other disaster, which also includes records that are prohibitive.

A record in any format containing information that is:

1. Essential to the operations and/or survival of the HCPSS in the event of a natural or other disaster;
2. Necessary to recreate HCPSS' legal and financial position; and
3. Necessary to preserve its interests and rights of Board members, school system officials and students.

VII. References

- A. Legal
Family Educational Rights and Privacy Act (FERPA)
Health Insurance Portability and Accountability Act (HIPAA)
Maryland Public Information Act, Annotated Code of Maryland, General Provisions
Article, Title 4
COMAR 14.18.02 Records Retention and Disposition Schedules
- B. Board Policies
Policy 4080 Disposition of Property
Policy 7010 Personnel Records
Policy 7030 Employee Conduct and Discipline
Policy 9050 Student Records
- C. Relevant Data Sources
- D. Other
ARMA Glossary
Certificate of Records Destruction Form
HCPSS Box List Form
HCPSS Off-Site Transfer Request or Retrieval Form
HCPSS Records and Information Disposition Schedules (RIDS)
HCPSS Records Condition Assessment Form
HCPSS Request to Transfer Form
HCPSS Records Transfer Inventory Worksheet
Maryland Student Records Systems Manual

VIII. History¹

ADOPTED: October 4, 2011
REVIEWED: January 27, 2023
MODIFIED: May 9, 2013
REVISED: June 8, 2017
 June 6, 2024
EFFECTIVE: July 1, 2024

¹ Key: *Adopted*-Original date the Board took action to approve a policy; *Reviewed*-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; *Modified*-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; *Revised*-The date the Board took action on a policy that based on the recommendation of the Superintendent/designee needed a comprehensive examination; *Effective*-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.

RECORDS MANAGEMENT

Effective: July 1, 2024

I. General Provisions

- A. All records are the property of the Howard County Public School System (HCPSS).
- B. HCPSS members and school system officials are responsible for records in their custody.
- C. The HCPSS Department of Strategy and Data Privacy will work with school system officials to create and maintain file plans for their office, department, or school.
- D. HCPSS will structure its records management program around the lifecycle of information which encompasses the creation, maintenance, use, storage, and final disposition of a record.
- E. HCPSS offices, departments, and schools will identify and protect HCPSS vital records.
- F. HCPSS offices, departments, and schools will notify the Department of Strategy and Data Privacy of any upcoming office/department relocations, to start the planning process to transfer, relocate, and determine the disposition of records well ahead of time.
- G. Transitory records will:
 - 1. Be retained for only as long as they are actively used or referred to;
 - 2. Be destroyed once they are determined to be inactive; and
 - 3. Not be maintained as the substitute for the official record.

II. Employing the Records and Information Disposition Schedules (RIDS)

- A. HCPSS Board members and school system officials will comply with the RIDS as their systemwide tool to identify and manage records created and maintained by the HCPSS.
- B. HCPSS Board members and school system officials will match records in their offices, departments, and schools with the RIDS, to:
 - 1. Determine which records are temporary or permanent;

2. Follow record retention requirements;
 3. Follow record cutoff guidance; and
 4. Review applicable State and federal citations.
- C. Most HCPSS records cannot and should not be kept permanently. The status of records in the HCPSS will be determined by the guidance provided by the RIDS. All records, regardless of medium, fall into one of two categories for disposition purposes:
1. Temporary records that have met their retention period will be:
 - a. Transferred to off-site storage for the remainder of their retention; or
 - b. Destroyed in accordance with established procedures and approvals in the RIDS (the time may vary from a few months to many years); and
 - c. Documented on the Certificate of Destruction Form, which is submitted to the Maryland State Archivist for approval.
 2. Permanent records are sufficiently valuable for historical or other purposes and warrant continued preservation. When these records are no longer needed to support HCPSS, offices, departments, and schools will:
 - a. Store records permanently in the Maryland State Archives (according to the security classification, permanent records will be made available for scholars, historians, researchers, and the public);
 - b. Clearly identify records with the information contained in the HCPSS Records Transfer Inventory Worksheet and HCPSS Records Condition Assessment Form. The forms will include:
 - i. Record series title;
 - ii. Record description;
 - iii. Record schedule authorization number;
 - iv. Date of contents; and
 - v. Total volume.
 3. If HCPSS records are destroyed by an outside records management provider, in accordance with the terms of the RIDS, the Department of Strategy and Data Privacy will submit a copy of the vendor's Certificate of Records Destruction to the Maryland State Archives.
- D. HCPSS school system officials will contact the Department of Strategy and Data Privacy if a record does not match a current record schedule in RIDS. If a HCPSS record is unscheduled:
1. School system officials will contact the Department of Strategy and Data Privacy to develop a new schedule.
 2. School system officials will follow procedures to schedule any new or unscheduled records by completing the following:

- a. A records survey;
 - b. A records inventory; and
 - c. A records appraisal.
 3. School system officials will work with the Department of Strategy and Data Privacy to complete the mandatory records forms to start the approval process.
- E. HCPSS Board members and school system officials will follow the RIDS in all cases unless the record:
1. Is subject to a litigation hold;
 2. Is subject to an internal or external audit;
 3. Is subject to the Maryland Public Information Act (MPIA); or
 4. Is subject to an appropriately issued subpoena or court order; or
 5. Is required to be maintained longer due to a change in State or federal laws or regulations.

III. Managing Records Disposition

- A. To manage disposition, HCPSS school system officials will:
1. Preserve records of continuing value such as those reflecting HCPSS activities of historical interest;
 2. Transfer inactive records to off-site storage for the remainder of their retention period; or
 3. Destroy records of temporary value as soon as they have met their retention period.
- B. To transfer records to any off-site storage facility, HCPSS school system officials will:
1. Review and remove non-record material from files to be transferred;
 2. Pack the records in the approved record boxes obtained through the Department of Strategy and Data Privacy;
 3. Complete a HCPSS Box List Form for each records box to document files for efficient retrieval (if applicable);
 4. Complete the HCPSS Request to Transfer Form;
 5. Email a copy of their completed HCPSS Request to Transfer Form to the Department of Strategy and Data Privacy for review and approval; and,
 6. Contact the Department of Strategy and Data Privacy to coordinate the records transfer to either the State or local storage facility.
- C. To transfer records, HCPSS school system officials will contact the Department of Strategy and Data Privacy to initiate and arrange for records transfers to any off-site storage facilities including the Maryland State Archives. Confidential records will be marked restricted.

- D. If a HCPSS Board member or school system official has reason to believe that a particular record may be subject to potential or actual litigation, the Board member or school system official will not follow the RIDS. In such a case, the Board member or school system official will notify the Department of Strategy and Data Privacy.
1. The Department of Strategy and Data Privacy will consult with legal counsel who will determine whether any record is required to be maintained beyond the required retention period due to litigation. All such records will be maintained in their original form, regardless of any other provisions in law, policy, regulations, or rules.
 2. Legal counsel will inform, in writing, all HCPSS school system officials who have records subject to potential or actual litigation that there will be a litigation hold on the record.

IV. Managing the Protection of Records

- A. Confidential records are:
1. Protected against release or distribution by State, federal, or controlling law/policy, and
 2. Maintained in a manner that requires:
 - a. Protection of confidentiality;
 - b. Compliance with State, federal, or controlling law/policy and;
 - c. Compliance with HCPSS policies.
 3. Shredded or deleted to ensure the destruction of all confidential information, including personally identifiable information (PII), when no longer required to be maintained.
- B. Records that do not contain any PII and/or have not been deemed confidential will be recycled after retention has been met.
- C. HCPSS school system officials who fail to maintain the confidentiality of confidential records are subject to disciplinary action.
- D. HCPSS school system officials will treat records as confidential unless:
1. The record is created or maintained with the intention of sharing with the general public;
 2. The record was created or maintained with the intention of sharing it with a specific person, or persons who are not employed by the Board, in which case the record may be shared with the intended recipient(s);
 3. The record must be revealed by law, court order or subpoena, as determined by legal counsel;

4. The records must be revealed through litigation or other legal complaint process, as determined by legal counsel; or
 5. The record must be revealed as part of an internal or external audit, as determined by the Superintendent/designee.
- E. Individuals whose employment status or role in the HCPSS has been changed will not remove any HCPSS records from the property and will:
1. Identify all HCPSS records in their custody;
 2. Identify personal papers and non-record copies for removal;
 3. Turn in file cabinet keys; and
 4. Certify that all HCPSS records have been identified and transferred to management, a designated records custodian or the Department of Strategy and Data Privacy.

V. Creating and Maintaining HCPSS File Plans

- A. The Department of Strategy and Data Privacy will work with HCPSS school system officials to create file plans for their offices, departments, or schools.
- B. HCPSS file plans specify how records are to be organized once they have been created or received, and are a “roadmap” to the records created and maintained and dispositioned by the HCPSS. The HCPSS file plan file structure will:
1. Identify the person and the office that maintains the records;
 2. Identify the records liaison officer and/or records custodian;
 3. Identify the school system official who approved the file plan before it was put into effect;
 4. Detail HCPSS file code;
 5. Describe the title of each record, record description, and record arrangement;
 6. Detail the medium of each record (electronic, paper, digital media);
 7. Identify any restrictions of access;
 8. Detail the status of the vital records;
 9. Identify record location (all information including address of the storage facility and room number where they are kept);
 10. Detail the dates of the records (all dates of the records, when were they retired, closed, destroyed, or transferred);
 11. Detail disposition status (litigation hold, inactive, active);
 12. Identify school system officials in charge of the file plan, and;
 13. Identify the date the file plan was last revised.

VI. Managing Internal and External Records Requests

- A. HCPSS will proactively disclose records that are frequently used and are in the general welfare of the public which do not require a request under the MPIOA or other formal procedures. This may be done through:

1. The use of the school system's public website which can be searched by topic or keyword and will contain information such as school system policies and student handbooks, organizational structures and contact information, school calendars, academic and student services overviews, budget overviews, and topical news announcements;
 2. The use of the Board's public website which can be searched by meeting date or subject matter and will contain information such as official meeting minutes as well as reports to the Board to inform and support decisions made under its authority; and
 3. Online access to responses to requests made under the MPIA since FY2018 that are available for public inspection.
- B. HCPSS school system officials will direct the public to the records above in Section VI.A. upon request in order to be proactive in the sharing of readily available information.
- C. HCPSS school system officials will follow Board policy and State law to allow for efficient compliance and timely responses to any requests for records pursuant to the MPIA, any litigation hold notices, internal or external investigations, court orders, or other requests for HCPSS records.
- D. Public requests for the release of information not available under Section VI.A. will be handled by the Superintendent/designee in compliance with the MPIA.
- E. Public requests for release of records not available under Section VI.A. made to any HCPSS school system official will be forwarded to the Office of the General Counsel for advice and direction.
- F. HCPSS school system officials who receive a subpoena or court order will notify the Department of Strategy and Data Privacy immediately. The Department of Strategy and Data Privacy will consult with legal counsel for advice. Based on the advice, the school system official or legal counsel will be responsible for ensuring that a timely and legally sufficient response is given.

VII. HCPSS Records Management Training

- A. HCPSS Board members and school system officials are required to complete annual records management training.
- B. New HCPSS Board members and school system officials whose job responsibilities include working with HCPSS records, will be made aware of the general provisions of this policy and receive appropriate training related to the retention, management, and disposition of HCPSS records.

VIII. Definitions

Within the context of these implementation procedures, the following definitions apply:

- A. File Code – The numbers or symbols used to abbreviate HCPSS department or office titles.
- B. HCPSS File Plan – The comprehensive outline that includes the record series, file organization, active file locations, file transfer instructions, file retention and disposition instructions, and other specific instructions that provide guidance for effective management of records, including vital records.
- C. Permanent Record – A record of enduring historical, or research value, that is retained permanently in an office or archives after a period of active use.
- D. Personally Identifiable Information (PII) – Any information that, alone or in combination, would make it possible to identify an individual with reasonable certainty.
- E. Record Cutoff – The time at which all new (active) records are placed in a new set of folders and the previous folders (inactive) are removed from the current files and transferred to a storage facility or archived.
- F. Records Inventory – A list of documentary materials created, received, and maintained by the HCPSS. This includes record series, inclusive dates, types of records, quantity, arrangement, and description.
- G. Temporary Record – A record of limited administrative value that is maintained in an office and/or records storage facility for a specified period of time before destruction.
- H. Transitory Record – A record that is required for a limited time to complete a routine action, is used in the preparation of final records, or is retained as information or convenience copies by offices or individuals who do not have primary responsibility for the records.
- I. Unscheduled Record – A record which is not found on the Records and Information Disposition Schedules (RIDS) and whose disposition has not been approved by the Maryland State Archivist.

IX. Monitoring

Policy 3050 implementation procedures will be overseen by the Office of the Deputy Superintendent.

X. History¹

ADOPTED: October 4, 2011
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 May 9, 2013
 November 2, 2021
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