

1 **Charlo School District**

2
3 **NONINSTRUCTIONAL OPERATIONS**

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6 The District will retain, in a manner consistent with applicable law and the state's *Rules for*
7 *Disposition of Local Government Records*, such records as are required by law or regulations to
8 be created and/or maintained, and such other records as are related to students, school personnel,
9 and the operations of the schools.

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11 For the purpose of this policy, "records" are all documentary materials, regardless of media or
12 characteristics, made or received and maintained by the school unit in transaction of its business.
13 Records include email and other digital communications sent and received.

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15 Records may be created, received, and stored in multiple formats, including but not limited to
16 print, microfiche, audio and videotapes, and various digital forms (on hard drives, computer
17 disks and CDs, servers, flash drives, etc.).

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19 The Superintendent will be responsible for developing and implementing a records management
20 program for the cataloging, maintenance, storage, retrieval, and disposition of school records.
21 The Superintendent will also be responsible for developing guidelines to assist school employees
22 in understanding the kinds of information that must be saved and those which can be disposed of
23 or deleted. The Superintendent may delegate records-management responsibilities to other
24 school personnel at his/her discretion to facilitate implementation of this policy.

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26 **Litigation Holds for Electronic Stored Information (ESI)**

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28 The school district will have an ESI Team. The ESI Team is a designated group of individuals
29 who implement and monitor litigation holds, a directive not to destroy ESI that might be relevant
30 to a pending or imminent legal proceeding. The ESI Team will include a designated school
31 administrator, an attorney, and a member from the Technology Department. In the case of a
32 litigation hold, the ESI Team shall direct employees and the Technology Department, as
33 necessary, to suspend the normal retention procedure for all related records.

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35 **Inspections of ESI**

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37 Any requests for ESI records should be made in writing and will be reviewed by the
38 Superintendent or designee, in consultation with an attorney if needed, and released in
39 accordance with Montana public records law.

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41 **Delegated Authority**

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43 The Board delegates to the Superintendent or designees the right to implement and enforce
44 additional procedures or directives relating to ESI retention consistent with this policy, as
45 needed.

Information Security Breach

Information security breaches shall be handled in accordance with 30-14-1704, MCA, Computer Security Breach, including, but not limited to, investigations and notifications.

Cross Reference: 1402 School Board Use of Electronic Mail
 3600, 3600P Student Records
 5231, 5231P Personnel Records
 5450 Employee Electronic Mail and On-Line Services Usage

Legal Reference: Montana Secretary of State (Rules for Disposition of Local Government
 Records)
 Federal Rules of Civil Procedure (FRCP)
 § 20-1-212, MCA Destruction of records by school officer
 § 20-9-215, MCA Destruction of certain financial records
 24.9.805 (4), ARM Employment Records
 30-14-1704, MCA Computer Security Breach

Policy History:

Adopted on:

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