

BALTIMORE COUNTY PUBLIC SCHOOLS
FREQUENTLY ASKED QUESTIONS (FAQS) REGARDING
RECORDS MANAGEMENT PROGRAM

1. Why is there a records retention program?

ANSWER: The *Annotated Code of Maryland State Government Article 10, Section 608-619* requires every unit of state government to develop a program to manage records efficiently. Although the Baltimore County Public Schools is not a unit of state government, BCPS has opted to use the procedures and standards established in state law to govern its records retention program.

A program must include procedures to ensure the security of records and their prompt and orderly disposal when they are no longer needed. The purpose of this Records Retention Program (“RRP”) is to provide guidance to the BCPS schools and administrative offices regarding proper procedures for retaining and discarding BCPS records under Superintendent’s Rule 2380. The schedules under the RRP establish minimum retention periods for records based upon federal and state mandates and business needs.

2. Why is records management important?

ANSWER: Records management is important in protecting confidential records, preserving records that have enduring and permanent value, and increasing efficiency while decreasing workplace clutter.

3. What is a “record”?

ANSWER: A “record” is defined in Rule 2380 as any documentary material created or received by a Baltimore County public school or office, or a school system official in connection with the transaction of BCPS business. A record includes:

- a. Written materials, e-mail, books, photographs, photocopies, publications, forms, microfilms tapes, computerized records, maps, drawings, and other materials in any format; and
- b. Data generated, stored, received, or communicated by electronic means for use by, or storage in, an information system or for transmission from one information system to another.

4. What is a confidential record?

ANSWER: Confidential records may include personal, administrative, medical, financial, or other records and are defined as such by a variety of regulations and statutes. Records that are considered confidential or partially confidential must be noted within each schedule.

5. Do I have to keep everything that I receive and/or create?

ANSWER: No. The records retention schedule does not apply to “non records.” Some examples of non-records include the following materials:

- a. Identical copies of document;
- b. Extra copies of a document (the office that created and/or distributed a document is the office of record and has primary responsibility to maintain the document in accordance with the record retention schedule);
- c. Blank forms;
- d. Drafts of documents;
- e. Personal notes made by an employee to refresh the employee’s recollection, as long as the notes are not shared with other employees and/or used to conduct BCPS business; and
- f. Documentary materials created or received by BCPS that are of temporary value, are not required to be continually maintained for the conduct of business, and are not required for historical reference. This would include, but not be limited to, invitations or announcements, telephone messages, advertisements, commercial catalogues, books, general periodicals or other publications (e.g., newspapers or magazines) published outside of BCPS, out-of-date information or other general correspondence that is typically not kept beyond its usefulness in the normal course of business.

Non-records do not require retention scheduling or destruction authorization. To control excessive accumulation, avoid filing non-record materials with records.

6. Can I maintain my record for longer than the minimum time on the schedule?

ANSWER: We advise schools and offices not to retain a record longer than the minimum time required. Unnecessary retention of records may expose BCPS to costly litigation and discovery requirements.

7. What if there is an internal or external audit?

ANSWER: Any record required for an audit must be retained until completion of that audit, regardless of its stated retention period in the schedule.

8. When can I destroy records?

ANSWER: No records should be destroyed until they meet the minimum retention period, as set forth within the individual office, department or division retention schedule. In cases where there is no schedule for a particular record, the Records Officer must grant permission for the destruction.

9. Is there ever a time when I cannot destroy records?

ANSWER: Yes. School system records *cannot* be destroyed when:

- a. The record is subject to a litigation hold;
- b. The record has been subpoenaed;
- c. The record is the subject of a request made pursuant to the Maryland Public Information Act;
- d. The record is subject to an internal or external audit;
- e. The record is otherwise specifically determined by an employee with authority over the record to be necessary for retention beyond the required retention period;
- f. You have not received authorization from the school system's records officer; or
- g. There is any other directive in place regarding the destruction of records.

10. How do I destroy records?

ANSWER: A record may not be destroyed until a Certificate of Records Destruction form is prepared by the office's Records Liaison and approved by the Office Head and the Records Officer. The process for obtaining approval for destruction of records is outlined in the Records Retention Program Procedures.

11. What is the process for archiving documents?

ANSWER: The Office of Logistics will accept records for archiving from the school system's administrative offices only. The process for transferring records to archives is outlined in the Records Retention Program Procedures.