

# Record Retention Policy

Policy 105.1

## 1 Introduction

1.1 The purpose of this policy is to inform Appalachian State University ("Appalachian") employees of the requirements and responsibilities for management and destruction of University records. This policy is implemented in accordance N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132-3.

## 2 Scope

2.1 This policy applies to all faculty and staff and covers all records, including electronic records, regardless of physical form or characteristics, made or received in connection with the transaction of University business that are in the possession or control of the University.

## 3 Definitions

### 3.1 Retention Schedule

The [UNC System Records Retention and Disposition Schedule](#). The Retention Schedule gives an assessment of record retention and archival value by indicating when, and if, a record may be destroyed.

### 3.2 Record(s) or "record(s)"

All documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, electronic mail communications ("e-mail"), artifacts, or other documentary material, regardless of physical form or characteristics, made or received in connection with the transaction of University business that are in the possession or control of the University.

### 3.3 Records Manager

The University official in University Archives responsible for providing University departments with advice and support for retention and disposition of University records.

### 3.4 Unscheduled Record(s)

Any record that is not addressed by an applicable category in the Retention Schedule.

### 3.5 University Archives

The University unit responsible for the management and preservation of historically valuable records of the University and records designated to be maintained permanently by the Department of Natural and Cultural Resources, state and federal law, and UNC System policies.

## 4 Policy and Procedure Statements

### 4.1 Record Retention

Under NC law, the retention of all records at Appalachian, made or received in connection with the transaction of University business, is subject to the consent of the Department of Natural and Cultural Resources ("DNCR"). The DNCR has created the Retention Schedule as a source of their approval to govern the retention of University records. University records may only be destroyed pursuant to the direction and retention expressed in the Retention Schedule, or as otherwise permitted by the DNCR and federal and state law.

### 4.2 Destruction of Unscheduled Records

Requests for the destruction of an Unscheduled Record may be submitted to Appalachian's Records Manager. If the Records Manager identifies that there is no appropriate disposition for the record in the Retention Schedule, then the Records Manager

will work in collaboration with the University department to submit a request to the DNCR for the destruction or other disposition instruction of the Unscheduled Record. The destruction of an Unscheduled Record may not take place without the receipt of written approval from the DNCR and the Records Manager.

### **4.3 Record Archival**

Under the Retention Schedule, some records are required to be maintained permanently and do not have a destruction disposition. Any University departments that have records with a permanent retention must coordinate with University Archives to determine if the records should be maintained by the departmental unit or transferred to University Archives.

### **4.4 Legal Holds and Audit Record Preservation**

Notwithstanding instructions provided in the Retention Schedule, records may not be destroyed or altered when they fall within the scope of: (a) filed or threatened litigation against the University or its representatives, (b) an active audit, or (c) an active official University investigation or investigative proceeding. The records in question must not be destroyed or altered until the completion of the matter and resolution of all issues regardless of the disposition instructions referenced in the Retention Schedule. As applicable, University departments will be notified by the Office of General Counsel, the Office of Internal Audit, or the relevant investigative unit when the matter and all related issues are resolved.

## **5 Enforcement**

Violations of this policy may result in disciplinary action, including the possibility of discharge, as well as personal civil liability or criminal sanctions.

## **6 Additional References**

### **7 Authority**

N.C. Gen. Stat. § 121-5

N.C. Gen. Stat. § 132-1, et seq.

## **8 Contact Information**

University Records Manager - 828-262-4041

## **9 Original Effective Date**

June 5, 2007

## **10 Revision Dates**

February 13, 2020