



POLICY TITLE: University Record Retention Policy

POLICY PURPOSE: Fort Hays State University (FHSU), as an agency of the State of Kansas, is subject to state statutes defining records retention requirements. State law provides that all government records are public property and shall not be destroyed or otherwise disposed of except as authorized by law or applicable retention and disposition schedules.

FHSU requires that university records be retained for specific periods of time, and has designated official repositories for their maintenance or historical preservation in accordance with the applicable regulatory, operational, or archival purpose. These records should be managed according to requirements outlined in this document.

BACKGROUND: FHSU is committed to effective records retention to comply with legal requirements, to ensure that critical records are available to meet university business needs, and to preserve university history. Effective records management optimizes the use of university space and personnel, minimizes the cost of record retention, and ensures that outdated records with no historical value are appropriately destroyed.

APPLIES TO: All university departments and units.

DEFINITIONS: **University records:** All documents, correspondence, original papers, maps, drawings, charts, indexes, plans, memoranda, sound recordings, microfilm, motion-picture or other photographic records, or other materials bearing upon the activities and functions of the department or agency or its officers or employees are considered university records.

Records may be active, inactive, or archival. Records may also be designated as either public or restricted and the status may be subject to change over time or as a result of other conditions such as open records requests.

Active Record: Active Records are those in use by a university department or unit in all formats. Active Records, either physical or electronic, remain active for varying numbers of years, depending on the purpose for which they were created and any regulatory requirements. Active Records may be retained in the originating office or at a university-approved storage location.

Archival Record: A university record that has permanent or historic value, is inactive, and is not required to be retained in the office in which it originated or was received. Archival Records are retained and preserved indefinitely in the University Archives. The University Archivist serves as the records administrator for permanent university records deposited in the University Archives in physical or electronic format.

Electronic Record: A university record kept in a non-tangible digital format. Electronic records may originate in electronic format (born digital) or as a result of digitization of physical records. Electronic Records include but are not limited to: documents, spreadsheets, databases and datasets, websites, photographs and images, audio and video media, and any other type of file or dataset that is represented online, in a university maintained or approved system or storage medium. The same retention standards that apply to tangible University records also apply to Electronic Records, and the retention periods outlined in the Record Retention Schedule apply equally to University records in all formats.

Inactive Records: Inactive records are those that must be maintained in accordance with the Records Retention Schedule, but are not actively in use by the originating department or unit. Inactive Records with historical significance are maintained by the University Archives in consultation with the University Records Officer or their designee. Inactive Records without historical significance may be moved to a university-approved storage location.

University Archivist: The University Archivist is responsible for preserving Archival Records, in the University Archives or in designated repositories and university-approved storage locations.

University Records Officer: The university's Records Officer shall be appointed by the President. General Counsel for the University, or their designee, shall initially serve as University Records Officer. In consultation with the executive leadership of the university, the Records Officer may designate certain policy implementation functions to other offices.

University Records Committee: The University's Records Officer shall convene a University Records Committee to periodically review this policy and to develop procedures for the implementation and compliance. The Records Committee shall include representatives from the offices of the President, University Provost, Controller, Human Resources, Internal Audit, University Registrar, Research Compliance, General Counsel and Compliance, the University Library and Archives, Technology Services, and any other office or department deemed necessary by the Records Officer, in consultation with the university's executive leadership team.

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POLICY STATEMENT:

General Statement of Policy

The University Records Officer shall oversee, with the assistance of the Records Committee, the implementation of this Policy across all departments and units that maintain University records in any format. Such oversight may include developing procedures concerning the implementation, review, application, and governance of this Policy, as well as any necessary training or consultation. Each unit manager or department head at the University is ultimately responsible for compliance and implementation of this Policy and any related procedures within his or her unit or department.

Responsibilities of Departments and Units

Each unit manager or department head or designee, must periodically review records generated and maintained in university information systems or equipment (including mainframe, mini, and micro computing/storage systems) to ensure that these requirements are met.

- Determine the appropriate format for University records under their area of responsibility.
- Implement the unit's and/or office's record management practices in a manner that is consistent with this policy, the university records retention schedule, any related procedures, and any other applicable requirements;
- Educate staff within the administrative unit in understanding sound record management practices;
- Ensure that access to confidential files and documents or electronic media that contain personally identifiable information is restricted in accordance with all University policies, including the University's policies regarding data classification and security. Note that research conducted by university personnel requiring access to confidential personally identifiable information must be approved by the Institutional Research Board (IRB). Long term restrictions on access to any Archival Records should be noted by the unit manager, department head, or their designee at the time of transfer to the University Archives.
- Identify and transfer Inactive Records of historical value to the University Archives for historical preservation in consultation with the University Archivist, identify Inactive Records (see the "Definitions" Section of this document) of historic value, and transfer those records to the University Archives for preservation;
- Destroy Inactive Records that have no archival (historical) value upon passage of the applicable retention period.

Records Retention

The Records Retention Schedule lists the official repositories and retention periods for University records. Record retention periods may be modified pursuant to government regulation or rules, regulations, or policies issued by the State of Kansas and/or the Kansas Board of Regents; judicial or administrative order, private or governmental contract, pending legal/litigation or audit requirements, and in special circumstances where doing so is deemed to be in the best interest of the University by the University Records Administrator or its designee. Such modifications supersede the requirements listed in this policy. The suspension of record destruction for any of these reasons may be accomplished by a notice sent out to affected units by the University Records Officer in consultation with General Counsel.

The Record Retention Schedule referenced herein is subject to approval by the State Records Board, and may be modified or updated, in whole or in part, by the Records Committee as needed for such purposes. No document list or schedule can be exhaustive. Questions regarding the retention period for any specific document or class of documents not included in the Record Retention Schedule should be addressed to the University Records Officer or their designee.

Departments and units that are not official repositories and that retain duplicate copies of University records that are otherwise maintained by a unit or department

designated as an official repository for such records should dispose of the duplicate copies when the records are no longer useful (no later than the duration noted in this policy) The University Records Officer or its designee has authority to make the final determination concerning the official repository of records, which may be designated in the Record Retention Schedule.

Unit managers and department heads are responsible for consulting with the University Records Officer or its designee concerning any questions or concerns relating to this policy, the procedures outlined herein, or the Record Retention Schedule.

EXCLUSIONS OR SPECIAL CIRCUMSTANCES:

Amendments to the Record Retention Schedule: The Record Retention Schedule may be amended from time to time as approved by the Records Committee, without the need for modification or further review/approval of this Policy.

RELATED DOCUMENTS:

Related Policies & Information:

FHSU Data Classification Policy - <https://fhsu.edu/policies/pdf/6-2017-data-classification-policy.pdf>

University Archives Collections and Gifts Policy - <https://www.fhsu.edu/library/documents/Special%20Collections/university-archives-collections-and-gifts-policy-2018>

Forms: FHSU Record Retention Schedule [here](#)

Other: [State of Kansas General Schedules](#)

[Kansas Board of Regents Agency Schedule](#)

FHSU Agency Schedule

State Statutes and Regulations, including:

Kansas Statutes Annotated (KSA) 45-401, et. seq.

KSA 75-3501, et. seq.

Kansas Administrative Regulations (KAR), Article 53

KEYWORDS:

RESPONSIBLE OFFICE:

General Counsel

RESPONSIBLE UNIVERSITY OFFICIAL:

General Counsel

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CHANGE HISTORY: Approved by Cabinet 1/26/22
Approved by President 1/26/22
