

RECORDS RETENTION AND DISPOSAL

8.80

I. The Henry County Board of Education shall establish and maintain a system for the retention and destruction of school records consistent with legal requirements to minimize record storage requirements and permit the Superintendent to administer the affairs of the Henry County School System more efficiently.

II. After complying with the provisions of laws and rules, the Superintendent is authorized at his/her discretion to destroy general correspondence and other records, papers, and documents, provided such records do not serve as an agreement or understanding or have value as permanent records. However, commodity records are to be maintained according to Child Nutrition Program guidelines, and records of milk, bread and juice are to be maintained permanently.

III. Document Preservation Plan and Litigation Hold for Electronic Records

The Board shall adopt a document preservation plan to ensure that when a lawsuit is filed or reasonably anticipated, it takes special precautions to prevent the loss of potentially-relevant electronic data. Electronic data includes all forms of electronic communications and records such as email, word processing, calendars, voice messages, videos, photographs and other digital information.

When a lawsuit is filed or reasonably anticipated, a litigation hold shall be issued to appropriate individuals, which shall define and identify records to be preserved and direct that the records be preserved and how to do so. A person receiving a litigation hold has a duty to preserve all records, whether existing or later created, in the person's possession or scope of responsibility that are identified in the litigation hold, effective immediately. A litigation hold suspends any Board or divisional policies or procedures that might call for the destruction of electronic records under the recipient's control and protects and preserves all electronic records in their original electronic form. The Board's duty to preserve records shall continue until the litigation, or the threat of litigation that prompted the litigation hold has ended.

After a lawsuit is filed and when the Board receives a request from an opposing party for production of electronic records, the Board's counsel and the Board will determine the best approach to take in order to efficiently produce a complete and accurate response.

REFERENCE(S):

**CODE OF ALABAMA
16-8-9, 16-13A-6, 36-12-2, 36-12-40, 41-13-1
ALABAMA STATE RECORDS RETENTION SCHEDULE #917**

HISTORY:

**ADOPTED: OCTOBER 11, 2007
REVISED: JULY 18, 2013; _____
FORMERLY: KL**