

Title: RECORDS RETENTION

Code: AA0109

Policy Reference: Wis. Stats. § 19.32 (2); A0109, Public and
Other Records

Purpose

The purpose of this procedure includes the following:

- To establish uniform retention and disposition practices for records and documents for the entire college system.
- To ensure that necessary records and documents are adequately protected and retained for sufficient periods of time to meet administrative, audit, legal and historical needs
- To promote cost effective and efficient management of records and information.
- To provide MATC departments with the legal authorization to dispose of records on a routine basis in accordance with MATC's Records Retention Schedule.

Scope

This procedure applies to all departments and administrative offices of MATC, to all records of the college, and to all officers and employees who create, receive or maintain records as part of their work on behalf of MATC.

"Record" is defined to include any document needed to continue the operations of MATC. It could be a document regarding legal status or obligation, financial status or obligation, or a document necessary to fulfill obligations to employees, students, and clients. "Record" does not include drafts, notes or preliminary documents.

In addition to paper documents, electronic media such as computer printouts, microfilm, microfiche, magnetic tapes, digitized optically scanned information, maps, charts, photographs, films, tape recordings, and electronic records can also be considered "records." Electronic records must be incorporated into the college's recordkeeping requirements in order to have an accurate and complete record of its activities. In order to educate and train those responsible for maintaining records in accordance with the Records Retention Schedule, the Office of General Counsel and Information Technology Division will develop and provide informational and educational training containing practical guidance on issues surrounding electronic records management so that departments are able to meet their recordkeeping obligations.

Approving Authority: Office of the General CounselDate: 07/09

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Administration

The Office of the General Counsel oversees the retention and disposal of MATC's records and is responsible for the following:

- a. Publish a Record Retention Schedule that is in compliance with local, state and federal laws;
- b. Monitor local, state and federal law affecting record retention;
- c. In conjunction with department heads, annually review and modify as necessary the Record Retention Schedule;
- d. Obtain approval of all modifications to the Records Retention Schedule from the Wisconsin Public Records Board and/or the Wisconsin State Historical Society, as required by state statute;
- e. Develop a training program for personnel responsible for record storage and maintenance; and
- f. Monitor all departments for compliance with the Record Retention Schedule.

Each department head will prepare a listing of documentation used and maintained by the department and will compare it to the documents listed in the Record Retention Schedule. In addition, each department head will annually review currently-used records and forms to determine whether these records and forms are subject to the retention requirements, and will designate an individual(s) responsible for monitoring record retention, storage and disposal.

Each department head will annually review the Records Retention Schedule applicable to their area of control to determine any special circumstances that necessitate changes in the retention periods. Requests for changes in retention periods or deviations from specified retention periods should be made to the Office of the General Counsel, and may be implemented only after approval by the Office of General Counsel.

In the event of a governmental audit, investigation, or pending or threatened litigation, record destruction may be suspended at the direction of the Office of the General

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Counsel. In addition, the Office of the General Counsel should be informed of any situation that might give rise to legal action as soon as the situation becomes apparent.

Using the Records Retention Schedule

The Records Retention Schedule establishes minimum retention periods for each record series or data type. The Schedule is subject to revision by the Office of Special Counsel. If the Schedule is revised, the Office of Special Counsel will provide each department head with the revised Schedule and effective date of same.

It is recommended that following the completion of the retention period stated in the Schedule, the document or file be destroyed unless transfer to permanent storage is specifically required by the Schedule. However, if a department has a continuing need for the item, it may be retained longer within that department. If a document is retained longer than required by the Schedule, the Office of General Counsel should be notified.

The Records Retention Schedule applies to all records regardless of their format or media, including all types of records maintained in electronic formats. Any record not covered by this Procedure, Records Retention Schedule, or other regulation or law shall be retained for seven years.

Those responsible for maintaining records in their respective area should use the Records Retention Schedule as a guide in creating and organizing filing systems, to plan for space and equipment needs and to ensure that only necessary documents are created and/or retained.

Destruction of Records

Destruction of records prior to the retention period set out in the Records Retention Schedule is prohibited. All recommended destruction of records stated within the Records Retention Schedule should be carried out by the department head or designee. At least 30 days prior to destruction of records, the department head or designee should notify the Office of General Counsel of the destruction by submitting a Destruction of Records Form describing the document(s) to be destroyed.

Destruction should be carried out periodically (generally at least once a year). To facilitate orderly destruction of paper records, assigned staff should review filing arrangements, cut off files periodically, and develop procedures for organization and

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storage of documents that will aid in timely disposal of records as set forth in the Records Retention Schedule.

Doubt concerning whether to retain or destroy a record should be resolved in favor of preservation.

With regard the Records Retention Schedule, the following exceptions apply:

Public Records Request. If a public records request has been made with a department for any item or items contained in the Records Retention Schedule, the Public Records Law (Wis. Stat. §19.35(5)) forbids the destruction of any record until the request is granted or until at least sixty (60) days after the date that the request was denied. Court orders may extend this time period. As set forth in MATC Policy A0109, all public records requests should be forwarded to the appropriate office for processing. Any document subject to a Public Records Request cannot be destroyed without advanced approval from the Office of General Counsel.

Pending Litigation or Audit. It is the department's responsibility to determine if an audit, threatened litigation or pending litigation will involve any records listed in the Records Retention Schedule, and to suspend any destruction until such time as the audit or litigation is completed. As set forth in the "Litigation Hold" section of this procedure, there may be documents not specifically listed in the Records Retention Schedule or not considered official records that may also be subject to a hold on destruction. Any document subject to an audit, threatened litigation or pending litigation, or "litigation hold" cannot be destroyed without advanced approval from the Office of General Counsel.

Duplicates. Duplicates may be destroyed when their administrative usefulness has ceased. A separate records schedule and Destruction of Records Form is not required to dispose of duplicates.

Destruction of Record Containing Personal Information. Records containing personally identifiable information (i.e., information that can be associated with a particular individual through one or more identifier, such a social security numbers, or other information or circumstances, medical records of individuals or other personnel related records) must be destroyed by shredding or some other confidential means approved by the Office of General Counsel.

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Electronic Records

The Records Retention Schedule applies to electronic records, including electronic mail (e-mail). Retention periods should be based on the content within the record, not on media type or storage limitations. Not all e-mails are “records” subject to this Procedure. Non-records include e-mail records which are unrelated to MATC, MATC’s statutory obligations, or MATC’s operations. For example, unsolicited and junk e-mails not related to the College’s work or personal non-work related e-mails received by MATC employees are not records subject to this Procedure.

Appropriate IT staff should develop and implement procedures for effective management and purging of electronic records on a regular basis. Disposition of electronic records can include downloading them to off–line storage media and eventual deletion or erasure. Absent a specified retention period outlined in the attached Record Retention Schedule, electronic records, including e-mail records should be retained for seven (7) years.

Litigation Hold

Any records listed in the Records Retention Schedule which are related to or involve threatened litigation or pending litigation may not be destroyed until such time as the litigation is resolved. This may require retention beyond the period set forth in the Records Retention Schedule.

A litigation hold may apply to any documents within the possession of MATC and its employees, including drafts, notes or preliminary documents that are not considered “records” subject to the Records Retention Schedule. Even documents not considered “records” may be relevant to pending or threatened litigation and, therefore, subject to a hold on destruction until the time such litigation is resolved.

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MATC has adopted the following college-wide records retention schedule to provide guidance to its various departments and divisions on the creation, maintenance and destruction of necessary documents in order to ensure compliance with all applicable laws and regulations, and to ensure the college's legal and audit standing is maintained.

Retention Periods Defined

ACT = While active, employed or enrolled.

LIFE = Life of affected employee.

PERM = Permanent retention.

Schedules by Category**ADMINISTRATION AND GENERAL LEGAL RECORDS**

Board of Directors Meeting Minutes	PERM
Board of Directors Committee Meeting Minutes	PERM
Annual Reports to the Board of Directors	7 years
Board Policies and Procedures	ACT + 7 years
Board of Directors Correspondence	7 years
Legal Opinions	7 years
Notice of Meetings	7 years
Newsletter/Bulletins	7 year
Special Project Studies/Reports	7 years
Long Range Planning Reports	7 years
Management Correspondence/Memos	7 year
Deeds and Titles	PERM
Contracts	ACT + 7 years
Patent, Copyright and Trademark Records	PERM
General Correspondence not otherwise covered in schedule	7 years

ADMISSION AND FINANCIAL AID**APPLICATION MATERIALS FOR STUDENTS WHO ENTER**

Acceptance Letters	7 years after date of last attendance
Applications	7 years after date of last attendance
Correspondence	7 years after date of last attendance
Entrance Exams and Placement Scores	7 years after date of last attendance
Letters of Recommendations	7 years

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**APPLICATION MATERIALS FOR STUDENTS WHO ARE ACCEPTED BUT DO NOT
ENTER**

Acceptance Letters	7 years after application term
Applications	7 years after application term
Correspondence	7 years after application term
Individual Complaint or Problem	7 years after last entry
Summary Record for Individual Complaint	PERM
Transcripts	7 years after application term

FINANCIAL AID RECORDS

Applications	7 years
Financial Aid Awards	ACT + 7 years
Financial Aid Transcripts	7 years
Job Placement	ACT + 7 years
Lender's Name and Address	ACT + 7 years
Other documents in Financial Aid Files	ACT + 7 years
Promissory Notes	PERM
Repayment History	ACT + 7 years
Summary Statistical Reports	PERM

PROVOST**REGISTRAR***Individual Student Records:*

Academic Records	PERM
Advanced Placement	PERM
Application for Graduation	PERM
Course Catalogs	
Class Rolls	PERM
Diplomas Not Picked up by Students	PERM
FERPA Requests	PERM
Independent Study Forms	PERM
Pass/Fail Requests	PERM
Personal Data Forms	PERM
Registration Forms	PERM
Transcript Requests	PERM
Date of Graduation and Degree Award	PERM
Degree Audit Records	PERM
Transfer Credit Evaluations	PERM
Name Change Authorizations	PERM
Withdrawal Form	PERM

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General Student Records:

Applicant Statistics	PERM
Class Schedule	PERM
Degree Statistics	PERM
Enrollment Statistics	PERM
Grade Statistics	PERM
Racial/Ethnic Statistics	PERM

Academic Affairs:

Course Syllabi	7 years
Commencement Program	PERM
Curriculum Development (Course Worksheet, Evaluations and Recommendations)	7 years
Faculty Evaluations	7 years

HUMAN RESOURCES*Employment Applications/Employment Listings:*

Applications of those not hired	7 years
Applications of those who hired	7 years after date of termination
Applicant Flow Data	7 year
Job Postings and Advertisements	7 years after date of recruitment
Requisition for Personnel	7 years after job is filled or requisition cancelled.
Unsolicited Resumes, General Expressions of Interest	7 years
Background Investigation Results	7 years

Individual Employee/Medical Files:

(containing the following documents)	ACT + 7 years after termination
Attendance Records	
Beneficiary Designation	
Criminal Background Reports	
Employment Contracts	
Disciplinary Warnings and Actions	
Emergency Contacts	
Employee Evaluations	
Employment Application/Resume	
Employment History Data	
Layoff/Recall Notice	
Termination/Resignation Notice	
Medical Records	
Personnel Actions	

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Promotion
Transfer*Employee Health and Safety:*

Accident Reports	7 years after settlement or conclusion.
Worker's Compensation Claims	7 years after settlement or conclusion
Settlements	PERM
Injury Frequency Charts	7 years
Employee Exposure Records (OSHA)	30 years after termination
Employee Medical Records	30 years after termination
Safety Records	7 years
Health and Safety Bulletins	Until superseded + 7 years

Labor Relations Matters:

Arbitration Decisions	PERM
Grievance Files	7 years from date of filing
Labor Union - Contracts	PERM
Labor Union – Disputes	PERM
Labor Union – Negotiation Minutes	PERM

*Compensation and Benefits:**Contracts/Claims:*

General Liability Claims	7 years after settlement or conclusion
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Pension and Benefits Records:

Actuarial Records	7 years
Education Assistance	LIFE
Disability Records	LIFE
Incentive Plans (after expiration)	7 years
Individual Employee Files	LIFE
Pension Plan (after expiration)	7 years
Retirement Benefits Accrued	LIFE
Retirement Plans (after expiration)	7 years
Sick Leave Benefits	LIFE
Vesting	LIFE
401K Benefits Accrued	LIFE

BUSINESS OFFICE

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Payroll Records:

Cost of Living Tables	7 years
Garnishments	ACT + 7 years
IRS Form W-2	7 years
IRS Form W-4	7 years
IRS Form 941	PERM
Payroll Deductions	7 years
Salary or Current Rate of Pay	7 years
Time Cards or Sheets	7 years
Wage Rate Tables	7 years
Wage or Salary History	7 years
Payroll Registers	7 years

Accounts Receivable Records:

Accounts Receivable	7 years
Accounts Receivable Ledgers	7 years
Collection Records	ACT + 7 years
Receipts	7 years
Uncollected Accounts	7 years
1098T Tax Forms	7 years
1098E Tax Forms	7 years

Account Payable Records:

Accounts Payable Ledgers	7 years
Expense Reports	7 years
Invoices	7 years
Payment/Disbursement Records	7 years
Purchase Requisitions/Work Orders	7 years

Financial Records:

Annual Budget Detailed Work papers	7 years
Auditor's Reports	PERM
Audit Work papers	7 years
Bank Deposit Records	7 years
Bank Statements and Cancelled Checks	7 years
Budget Adjustment Forms	7 years
Budget Committee Minutes	PERM
Endowment Custodian Reports	7 years
General Ledger Journal Entry Forms	7 years
General Ledger Summary Account Balance	PERM
General Ledger Transaction Detail	7 years

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Gift Annuity Contracts	PERM
Grant Proposal (unsuccessful)	7 years
Grant Proposal (successful)	ACT + 7 years
Monthly Financial Reports	7 years
Two-Page Budget Summary	PERM
Trust Documents	PERM
Unclaimed Property Reports	7 years
Wills and Estate Documents	PERM

Federal Tax Records:

IRS Form 990	PERM
IRS Form 990-Detailed Supporting Working Papers	7 years
IRS Form 990-T	PERM
IRS Form 990-T-Detailed Supporting Working Papers	7 years
IRS Form 1099Misc, 1099R, 1099E	7 years

Loan Documents:

Promissory Notes-Paid in full or Cancelled	ACT + 7 years
Transaction Journals	7 years beyond paid in full

Litigation Documents:

Claims	ACT + 10 years
Court Documents and Records	ACT + 10 years
Deposition Transcripts	ACT + 10 years
Discovery Materials	ACT + 10 years
Litigation Files	ACT + 10 years

PHYSICAL PLANT

Facilities Records:

Air or Water Waste Emissions	7 years
Building Permits	ACT + 7 years
Building Plans and Specifications	PERM
Hazardous Chemical Waste Records	7 years
Laboratory Practices	ACT + 7 years
Maintenance Records	ACT + 7 years
Motor Vehicle Records	ACT + 7 years
Office Layouts	ACT + 7 years
Operating Permits	ACT + 7 years
Zoning Permits	ACT + 7 years

Capital Property Records:

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Blueprints	PERM
Equipment Inventory	ACT + 7 years
Depreciation Schedules	ACT + 7 years
Mortgage Records	ACT + 7 years
Property Improvement Records	ACT + 7 years
Property Records/Inventory	ACT + 7 years
Sales	7 years
 <i>Insurance:</i>	
Fire Inspection Reports	7 years
Insurance Claim Working Papers	10 years after settlement
Insurance Policies	PERM

ADVANCEMENT**INSITUTIONAL PUBLICATIONS**

Alumni Directories	7 years
Alumni Newsletters	7 years
College Press Publication List	7 years
Bulletins and course Catalogs	7 years
Donor Intent/Pledge Forms (\$10,000 & up)	ACT + 7 years
Endowed Fund Agreements	PERM
Employee Directories	7 years
Institutional Newspapers/Newsletters	7 years
Student Directories	7 years
Student Newspapers	7 years

STUDENT SERVICES**CAREER SERVICES**

Annual Report to VP	7 years
Graduate Survey Records	PERM
Student Career Planning Records	ACT + 7 years
Teacher Credential Records	PERM

COUNSELING SERVICES

Counseling Records	ACT + 7 years
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HEALTH SERVICES

Health Records	ACT + 7 years
Vaccination Records (other than flu vaccines)	PERM

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STUDENT ACTIVITIES

Committee Files	7 years
Student Organization Budgets	ACT + 7 years
Student Organization Constitutions	ACT + 7 years
Program Files	7 years
Letters of Recommendation	PERM
Student Publications (1 copy)	PERM
Orientation Guides (1 copy)	7 years
Publications	7 years
Event Forms	ACT + 7 years

INTRAMURAL AND RECREATIONAL ACTIVITIES

Letters of Recommendation	PERM
Accident Reports	7 years
Participant Liability Waivers	PERM
Disciplinary Files	ACT + 7 years
Committee Files	7 years
Program Files	7 years