



Policy Title:	100.104 BMCC Records Retention Policy		
Approval Authority:	President	Date Effective:	December 7, 2017
Responsible Office:	Individual Departments	Responsible Office Contact:	Individual Department Heads

1. POLICY STATEMENT/REASON FOR POLICY

BMCC requires that college records, as defined herein, regardless of format, be disposed of or retained for specific time periods in accordance with legal or other institutional requirements, or for historical value. The college has designated official repositories to manage the retention and disposal of these records according to procedures outlined in this policy and the separate BMCC Records Retention Schedule. The college is committed to effective record management to meet legal and regulatory standards, preserve its history, optimize the use of space, and minimize the cost of record retention.

2. ENTITIES AFFECTED BY THIS POLICY

All BMCC departments.

3. WHO SHOULD READ THIS POLICY

All members of the BMCC community. Direct any questions about this policy to your department's administrative head.

4. WEB SITE ADDRESS FOR THIS POLICY

-This policy can be found at:
<http://www.bmcc.edu/about-bmcc/governance-administration/college-policies>

5. FORMS/INSTRUCTIONS

See related but separate BMCC Records Retention Schedule.

6. HISTORY

-Next Review Date: August 28, 2020
-BMCC reserves the right to revise policies at any time.

7. THE POLICY

BAY MILLS COMMUNITY COLLEGE RECORDS RETENTION POLICY

I. PURPOSE

BMCC requires that college records, as defined herein, regardless of format, be disposed of or retained for specific time periods in accordance with legal or other institutional requirements, or for historical value. The college has designated official repositories to manage the retention and disposal of these records according to procedures outlined in this policy. The college is committed to effective record management to meet legal and regulatory standards, preserve its history, optimize the use of space, and minimize the cost of record retention.

II. DEFINITIONS

College Record	Any form of recorded information, regardless of physical characteristics, that is created, received, recorded, or legally filed in the course of college business or in the college's legal obligations. College records serve as evidence of the college's organization, functions, policies, decisions, procedures, operations, transactions, or other activities. Note: An official record can be in hard-copy form (e.g., paper, magnetic tape, film, etc.) or electronic form. An electronic document (e.g., email, cloud-based documents, etc.) is considered a college record and is subject to the same retention period as the hard copy equivalent if the electronic document is created or received in the transaction of business; retained as evidence of official policies/decisions; and/or has historical significance or valuable informational content.
Active Record	ACT abbreviation. A record with current use for the department that generated it. Records remain active for varying numbers of years, depending on the purpose for which they were created.
Inactive Record	ACT+ NO. YRS abbreviation. A record with no current use for the unit, department, or division that generated it and that has not yet reached the end of its retention period.
Archival Record	A record that is no longer required by the unit, department, or division in which it originated or was received, but that has permanent legal, institutional, or historical value.
Fiscal Year	The College's fiscal year, which is from July 1 through June 30.
Official Repository	The department designated as having responsibility for retention and timely destruction of particular types of college records. Such responsibility is assigned to the department's administrator or a designee. Official repositories are identified in the "BMCC Records Retention Schedule".

III. SCOPE

This policy applies to all BMCC employees. It covers all college records (meaning all books, email, papers, digitized electronic material, maps, photographs, databases, or other official documentary materials, regardless of physical form or characteristics) that meet the following criteria:

1. are final versions;
2. are made or received by a department in the transaction of college business; and,
3. are preserved or appropriate for preservation as evidence of the organization, function, policies, decisions, procedures, operations or other activities of the college or because of the informational data contained therein.

IV. POLICY

The heads of all college departments shall ensure that records are preserved, retained and disposed of in accordance with this Policy and the time periods specified in the "BMCC Records Retention Schedule". Records should be stored and secured in a manner that is reasonable and appropriate given the nature of the records, giving due consideration to how records will be retrieved, the value of the record and the costs that would arise from the record being lost or damaged.

V. RESPONSIBILITIES FOR MANAGING COLLEGE RECORDS

- A. Certain Departments are designated as "official repositories," as listed in the "BMCC Records Retention Schedule". Official repositories are responsible for establishing and maintaining appropriate records retention management practices. Departments that are not official repositories are expected to retain records only while they remain active records.
- B. With respect to preserving, retaining and disposing of records, the head of each department shall ensure compliance with the following requirements:
 1. Records should be preserved in a secure manner that allows for their reasonable recall and be retained in accordance with all laws that may be applicable to each specific record. Laws to consider include, but are not limited to, the Internal Revenue Code, the Health Insurance Portability and Accountability Act (HIPAA), the Family Educational Rights and Privacy Act (FERPA), and relevant federal statutes.
 2. Records should be disposed of upon the expiration of any retention period required by law, or the retention period provided for by the "BMCC Records Retention Schedule", whichever is last to occur, and the following procedures should be followed in disposing of records:
 - a. Verify that the disposal of the records does not violate any statutory, contractual or accreditation obligations;
 - b. Confirm that the records to be disposed of do not relate to or contain information regarding actual or threatened litigation;
 - c. Give due consideration to whether the records may be of value to the college Archives; and,
 - d. Ensure that records which contain personal student information or sensitive and/or confidential information are shredded or otherwise rendered unreadable prior to disposal.

3. Work-related e-mail is a record, and it must be treated as such. Each email user must take responsibility for sorting out personal messages from work-related messages, and all work-related messages must be preserved, retained and disposed of as required by this Policy. Spam should be disposed of immediately, and any personal emails should be disposed of in a timely manner so that college servers are not unduly burdened.
 4. In the event of actual or threatened litigation against BMCC or one of its employees, the law imposes a duty upon BMCC to preserve all documents and records pertinent to the litigation. In the event or upon the threat of litigation, the General Counsel's Office will send individuals potentially affected by the litigation an e-mail instructing them to preserve any relevant records until further notice, even though such preservation is no longer required under this Policy.
 5. *Former Employees.* When an employee leaves a department or the college, the employee's immediate supervisor is responsible for ensuring that any records, including electronic records and e-mails, in the separating employee's possession are properly maintained and retained and that responsibility for these records is transferred to an appropriate person. Further, the supervisor is responsible for contacting the Director of Technology to arrange for the transfer of the employee's electronic records as needed before accounts are deleted.
- C. Each Departmental head or a designee must also do the following:
1. Implement the Department's and/or office's records retention/management practices in accordance with their Departmental Records Retention schedule.
 2. Ensure that their records retention/management practices are consistent with this policy.
 3. Educate staff within the administrative Department in understanding sound records management practices.
 4. Preserve inactive records of legal, fiscal, administrative, or historical value.
 5. Ensure that access to confidential files is restricted. Long-term restrictions on access to selected archival records should be decided at the time of their archiving.
 6. Destroy inactive records that have no archival value upon expiration of the applicable retention period.
 7. Answer questions about these responsibilities to Department staff to ensure understanding of this policy and implementation of these responsibilities.
 8. Secure the General Counsel's approval of any proposed changes to the Departmental Records Retention Schedule and provide a copy of those changes thereof.
 9. Note: An official record can be in the form of original paper, or may be a digital surrogate, at the discretion of the official repository.