

02.19 Records Confidentiality, Retention, and Destruction

Original Approval: DATE

Last Updated: DATE

Last Reviewed: DATE

Policy/Purpose:

It is the policy of Wallace Community College – Selma (WCCS) to ensure compliance with all federal and state laws related to the confidentiality of records and the retention and/or destruction thereof.

Scope:

This policy applies to all WCCS students and employees during any activity involving the College, including the workday. In addition, visitors, vendors, contractors, and all other non-employees are expected to recognize and comply with College policies.

Definitions:

Types of Records: Types of formats: paper, ledger book, database, PDF, JPEG, floppy disk, microfilm, hard drive, etc.

Temporary Record: Must be kept for a temporary amount of time known as the retention period. Note that temporary records that are digitized do not require paper copies to be kept. Therefore, if the temporary paper records are digitized the paper records can be destroyed without having to be documented.

Permanent Record: Records with enduring historical or administrative value and records that fall under the scope of an RDA retention schedule and must be kept forever. Even if permanent records are digitized, the paper copy must still be maintained as a back-up copy.

Transitory Records: Created by the institution that documents the work that you do, such as duplicates, drafts, personal notes, blank stationery, etc. Transitory records are eligible for destruction without having to be documented.

Non-Records: Not created by the institution and do not reflect the work that you do, such as catalogs/junk mail, spam messages, reference material, etc. Non-records are eligible for destruction without having to be documented.

Details:

1. **Family Educational Rights and Privacy Act (FERPA):** Refer to Family Educational Rights and Privacy Act (FERPA) – Buckley Amendment Policy.
2. **Confidentiality of Records:** Employees are the creators and custodians of many types of information. Such information may relate to students, employees, alumni, donors, and others. Employees are expected to comply with applicable legal, contractual, and policy obligations to maintain the confidentiality of such information, protect it from improper disclosure, and protect the privacy interests of individuals. To meet these responsibilities, employees are expected to follow document preservation and retention guidelines and maintain data security using electronic and physical safeguards.

3. **Confidentiality of Employee Records:** Many of the records that the College maintains, including information about employees, are considered confidential information and cannot be openly shared.

Unless it is required by law or there is a legitimate business reason, personnel information will not be disclosed or released. Individuals who are not employees of the College will not have access to personnel records or confidential employee information without the permission of the employee or the Director of Human Resources or designee. Certain other records are the property of the College and are not available to employees.

WCCS Human Resources Office will only disclose the position(s) held and dates of employment of individuals about whom a reference is requested without written authorization of the employee.

Refer to Access to Personnel File Policy for information about accessing personnel records.

4. **Records Retention and Destruction:** The retention of certain records must comply with the retention schedules identified by the Alabama State Records Commission. Individual record types are identified for public Alabama colleges, including community colleges at <https://archives.alabama.gov/manage/state/temporary-records.aspx>.

Procedure(s):

1. **Review Record Retention Requirements:** Review the state agency's RDA (Records Disposition Authority) for retention requirements. Refer to the Colleges of Alabama, Public (including Alabama Industrial Development Training, Alabama Skills Training Consortia, and the Veterinary Technology Program) manual for guidance on which records should be retained temporarily and those that must be retained permanently at <https://archives.alabama.gov/RDA/?id=47>. This includes record retention requirements for Alabama Community Colleges Alabama RDA - Community Colleges.
2. **Permanent Records:** Follow procedures to transfer permanent records. Store permanent records in a designated area for your department as determined by your departmental supervisor or dean, unless further instruction is issued by the college's records liaison.
3. **Temporary Records:**
 - a. Determine if the record(s) have met the minimum retention requirements.
 - b. Determine whether litigation or other hold(s) prevent legal destruction of records.
 - c. Complete a [State Records Destruction Form](#) and seek departmental approval signature to destroy records, and forward the approved records destruction form to the records liaison as indicated on the form.
 - d. Ensure the appropriate individual signs the destruction notice.
 - e. Securely destroy records through shredding or another secure method once the records destruction form has been officially approved and returned to you by the

records liaison. Review the [annual collegewide records destruction notification](#) issued by the records liaison for additional guidance.

- f. Ensure that all records destroyed are properly documented in the mandated annual report.

Additional Provisions/Information

There are no Additional Provisions / Information applicable to this policy.