



The
UNIVERSITY
of **VERMONT**

Policy V. 9.0.3.1

Responsible Official: Chief
Compliance Officer

Effective Date: November 9, 2007

Records Retention

Policy Statement

It is the policy of the University to protect the security and integrity of documents and records created or maintained in the course of institutional business and to ensure that records that are no longer needed or of no value are discarded at the appropriate time.

Purpose

This policy is designed to create a compliance standard for University personnel with respect to the retention of documents and records (“records”) created or maintained in the course of institutional business, governing records from their creation or receipt to their final disposition. It is also intended to facilitate appropriate access to records, preserve records confidentiality as applicable, reduce the cost of records maintenance, retain institutional records insofar as required or desirable, provide documentation in the event of litigation, and ensure the orderly destruction of records as appropriate.

Strategic Direction

This policy supports the following goal in the University’s Strategic Plan
http://www.uvm.edu/president/?Page=strategic_planning/strategicplan.html:

- Focus the human, fiscal, environmental, technological and physical resources of the University on institutional values and priorities

Applicability of the Policy

This policy applies to all University of Vermont administrators, staff and faculty.

Definitions

Personal information: means an individual's signature, Social Security number, physical characteristics or description, passport number, driver's license or state identification card number, insurance policy number, bank account number, credit card number, debit card number, or any other financial information.

Records: means any and all written or recorded matter produced or acquired in the course of University business, including without limitation all papers, documents, e-mail messages, machine-readable materials, and any other written or recorded matters, regardless of their physical form or characteristics.

Procedures

University departments shall maintain records in accordance with the [University Record Retention schedule](#). Inquiries regarding records retention and disposition should be directed to the Institutional Compliance Program Office. Questions regarding access to, or provision of copies of, University records are governed by the [University Records and Documents Requests Policy](#), and should be directed to the Office of the General Counsel.

Duty to Preserve Records

Premature or improper disposal or destruction of records may have serious legal consequences. In some circumstances, even the routine, regularly-scheduled destruction of records may be unlawful.

Specifically, when a lawsuit against the University or its employees is filed or threatened or is reasonably anticipated, the law imposes a duty upon the University to preserve all documents and records that pertain to the lawsuit.

All units must immediately suspend all disposal and destruction of relevant records, and all deletion of relevant e-mail messages and other electronic records, in the following situations:

- litigation has been commenced or threatened or is reasonably anticipated;
- a state or federal investigation has been commenced or threatened;
- an internal investigation or audit has commenced; or
- senior administrative officials have determined that urgent circumstances require the preservation of records and have issued a record preservation directive.

In all those instances, all involved staff and faculty must consult with the General Counsel's Office for direction relative to the preservation of relevant records.

No employee who has been formally notified of a record preservation directive may discard, destroy, alter, or delete a record that falls within the scope of that directive. Violation of the directive may subject the individual to disciplinary action, up to and including dismissal, as well as personal liability for civil or criminal sanctions by courts or law enforcement agencies.

Duty to Protect Personal Information

All units are responsible for the security and integrity of records that contain personal information as defined in this Policy. In particular, the use of Social Security numbers is governed by the University's Social Security Numbers Policy and by numerous state and federal laws. In general, for tax purposes, the University is required to obtain and maintain the Social Security numbers of its employees and enrolled students; however, the University is permitted to release Social Security numbers only under specific circumstances. All campus personnel who have access to Social Security numbers in the course of their University duties must take the utmost care to ensure that those numbers are not inappropriately shared or disclosed, whether through inadvertence or otherwise.

Duty to Destroy Unneeded Records

When personal information (as defined in this policy) about any individual is no longer to be retained, the University department or office holding that information shall take all reasonable steps to destroy or arrange for the destruction of records that contain the personal information. Destruction must occur by shredding, erasing, or otherwise modifying the personal information in those records to make it unreadable or indecipherable through any means for the purpose of:

- (1) ensuring the security and confidentiality of personal information;
- (2) protecting against any anticipated threats or hazards to the security or integrity of personal information; and
- (3) protecting against unauthorized access to or use of personal information that could result in substantial harm or inconvenience to any individual.

Forms

None

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

The Chief Compliance Officer
(802) 656-3086

The Chief Compliance Officer is the University official responsible for interpretation and administration of this policy.

Related Documents / Policies

- [Records and Documents Requests Policy](#)
- [Records Retention Schedule](#)
- **Personnel File Access policies** (see applicable employee handbook or contract)
- [Student Rights Records Privacy](#)
- [HIPAA Privacy and Human Research](#)
- Social Security Numbers (under development)

Effective Date

Approved by the President on November 9, 2007