

## SULLIVAN SCHOOL BOARD POLICY

### BUSINESS & NON-INSTRUCTIONAL OPERATIONS and STUDENTS

3546/  
5154

#### Student Records and Other Record Retention

The District will follow state and federal guidelines in the retention of financial, personnel, and school documents and as required by law. As a sending district, Sullivan School District elementary students attend Nelson Elementary School by tuition agreement. Middle and high school students attend Keene Middle School and Keene High School by the AREA agreement. The Sullivan School District complies with the policies and procedures of the respective school of attendance as consistent with law. Receiving school districts are the custodians of educational records for the Sullivan School District. Educational records are destroyed according to their records retention schedule.

The Superintendent shall develop procedures for a records retention system that is in compliance with RSA 189:29-a, and Department of Education regulations per the attached schedule of records. The procedures should ensure that all pertinent records are stored safely and are stored for such durations as are required by law. Additionally, the Superintendent shall develop procedures necessary to protect individual rights and preserve confidential information.

#### A. Special Education Records.

Upon a student's graduation from high school, his or her parents, or an adult student, may request the School Department, in writing, to have the student's records and final individualized education program destroyed at that time or request that the records be retained until the student's twenty-sixth birthday. The parent or adult student may, at any time prior to the student's twenty-sixth birthday, request, in writing, that the records be retained until the student's thirtieth birthday.

Absent any request by a student's parents at the time of graduation, the School Department shall destroy a student's records and final individualized education program within a reasonable time after the student's twenty-sixth birthday, provided that all such records be destroyed by the student's thirtieth birthday.

The District shall inform parents/guardians when personally identifiable information collected, maintained, or used in relation to the provision of special education for their student is no longer needed to provide educational services to the child. The information must be destroyed at the request of the parents/guardians. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. 34 CFR 300.624.

The District shall maintain a copy of the last Individualized Education Plan ("IEP") that was in effect prior to the student's exit from special education until the student's thirtieth (30th) birthday.

The District shall provide parents/guardians, or where applicable, the adult student, with a written notice of the District's document destruction policies upon the student's graduation with a regular high school diploma or at the transfer of rights, whichever occurs first.

The District shall provide public notice of its document destruction policy at least annually.

#### B. Litigation Hold.

On receipt of notice from legal counsel representing the District in that a litigation hold is required, the routine destruction of governmental records, including paper and electronic records, which are or may be subject to the litigation hold shall cease. The destruction of records subject to a litigation hold shall not resume until the District has received a written directive from legal counsel authorizing resumption of the routine destruction of those records in accordance with the retention requirements of this policy and the associated procedures.

#### C. Right-to-Know Request Hold.

On receipt of a Right-to-Know law request to inspect or copy governmental records, the Superintendent shall cease any destruction of governmental records which are or may be the subject of the request. The records shall be retained regardless of whether they are subject to disclosure under RSA Chapter 91-A, the Right-to-Know law. If a request for inspection is denied on the grounds that the information is exempt under this chapter, the requested material shall be preserved for no less than ninety (90) days and until any lawsuit pursuant to RSA 91-A: 7-8 has been finally resolved, all appeal periods have expired, and a written directive from legal counsel representing the District authorizing destruction of the records has been received.

<b>Type of Record:</b>	<b>Statute, Rule, or other legal authority – if none listed the retention period is a recommendation</b>	<b>Retention Period</b>
<b>Business Records:</b>		
Accident Reports - Employee		
<ul style="list-style-type: none"> <li>▪ Employee</li> </ul>		6 years or term of employment
<ul style="list-style-type: none"> <li>▪ Student</li> </ul>		Age of majority, plus 6 years
Accounts Receivable	RSA 33-A:3-a	Until Audited, plus 1 year
Annual Audit	RSA 33-A:3-a (10 years)	Permanent
Annual Report (District), Warrants, Annual Meeting Minutes, Budgets (District & SAU	RSA 22-A:3-a	Permanent
Application for Federal Grants	20 U.S.C. 1232f., (three years after the completion of the activity for which the funds are used) other authorities may apply	5 years
Architectural Plans Engineering Surveys Asbestos Removal		Permanent
Bank Deposit Slips	RSA 33-A:3-a	6 years
Bond Issue Material	RSA 33-A:3-a	Permanent
Budget Worksheets		End of budget year, plus 1 year
Cash receipts, disbursement records, checks	RSA 33-A:3-a	Until Audited and at least 6 years after last entry
Child Labor Permits		1 year
<b>Contracts*:</b>	RSA 33-A:3-a (Life of project or purchase)	Life of contract plus 3 years
<ul style="list-style-type: none"> <li>▪ Construction Contracts, Capital projects, fixed assets that require accountability after acquired*</li> </ul>	RSA 33-A:3-a (Life of project/asset)	Life of contract, building, asset plus 20 years
<ul style="list-style-type: none"> <li>▪ Engineering Surveys</li> </ul>		Permanent
<ul style="list-style-type: none"> <li>▪ Unsuccessful bids</li> </ul>	RSA 33-A:3-a (Life of project, plus 1 year)	Life of contract plus 3 years

Type of Record:	Statute, Rule, etc...	Retention Period
<b>Contract: Certified Educator</b>		Permanent
COBRA Notices	42 U.S.C. 300bb-1 ( <i>No requirement, recommend 6 years</i> ) ERISA 29 U.S.C. §1027 (6 years)	6 years from date of issue
Collective Bargaining Agreements		Permanent
Correspondence for Business		Life of subject matter plus 4 years
Correspondence – General		3 years or longer when historic/useful
Correspondence Transitory	RSA 33-A:3-a	As needed for reference
Deeds		Permanent
District Meeting Minutes & Warrants		Permanent
Insurance Policies	RSA 33-A:3-a	Permanent
Notes (Loan Documents)	RSA 33-A:3-a	Until paid, Audited, plus 1 year
Student Activities Records/Accounts	RSA 33-A:3-a (bank deposit slips and statements 6 years)	Until Audited, plus 6 years
<b>Enrollment Reports:</b>		
▪ Fall Reports A-12-A		Permanent
▪ Pupil Registers	RSA 189:27-b	Permanent
▪ Resident Pupil Membership Form		14 years
▪ School Opening Reports		3 years
▪ Statistical Report A-3	RSA 189:28	Permanent
Federal Projects Documents	Review specific project/grant program requirements. 20 U.S.C. 1232f, (three years after the completion of the activity for which the funds are used), other authorities may apply	5 years after submission of final audit report and documentation for expenditures, unless there is an ongoing audit
FICA reports - monthly		7 years

Type of Record:	Statute, Rule, etc...	Retention Period
<b>Attendance Records:</b>		
▪ Leaves	Family Medical Leave Act – 3 years	3 years
▪ Request for Leaves		1 year
<b>Personnel Records:</b>	RSA 33-A:3-a. Retirement or termination, plus 20 years	Term of Employment, plus 20 years
Application for Employment – Successful	RSA 33-A:3-a Unsuccessful applicants: current year, plus 3 years	Term of Employment, plus 20 years
Class Observation Forms		1 year
Criminal Record Check	RSA 189:13-a (Superintendent only)	Destroy immediately after review
Civil Rights Forms, Discrimination claims, accommodations under ADA, information used for EEO-5 Report, EEO-5 Report	29 C.F.R. §1602.40; 42 U.S.C. 12117; 42 U.S.C. § §§ 2000e-8-2000e-12; 42 U.S.C. § 2000ff-6; (final disposition, 2 years, 3 years)	6 years
Dues Authorization	Term of Employment	
Application, including Criminal records	Term of Employment	
Evaluations	Term of Employment	
HIPAA Documentation	6 years	
Medical Benefits	Term of Employment	
Re-employment Letter of Assurance	1 year	
Retirement application	Term of Employment	
Separation from Employment Letter/Form	6 years	
Staff Development Plan	Term of Employment	
Child Abuse Reports/Allegations	Permanent	
Criminal Investigation	Permanent	
Criminal Records Check Unsuccessful/Unfavorable	1 year	
Personnel Investigations	Permanent	
Sexual Harassment	Permanent	

Type of Record:	Statute, Rule, etc...	Retention Period
Quarterly Forms 941	6 years	
Fixed Trip Requests/Confirmation		1 year
Fixed Assets Schedule		Permanent as updated
Form C-2 Unemployment Wage Report (DES 100)		6 years
Invoices	Until Audit, plus 1 year	3 years
MS-22 Budget Form		6 years
MS-23 Budget Form		6 years
MS-25 Budget Form		Permanent
Minutes of Board Meetings, Board Committees	RSA 91-A:2, II, RSA 33-A:3-a	Permanent
Purchase Order		Until Audit, plus 1 year
Request for Payment Vouchers		Until Audit, plus 1 year
Requisitions		1 year
Retirement Reports - Monthly		1 year
<b>Timecards:</b>		
<ul style="list-style-type: none"> <li>▪ Custodial</li> <li>▪ Secretarial</li> <li>▪ Substitute Teacher</li> </ul>	Lab 803.3. Notification and Records no less than 4 years	5 years 5 years 5 years
Payroll Records	RSA 33-A:3-a Audited, plus 1 year 29 C.F.R. §1627.3 (3 years) ADEA: 29 U.S.C. §626, 29 CFR Part 1602 (2 years from job action); 29 C.F.R § 825.500 FMLA, 29 U.S.C. §2616, 3 years	6 years
Travel Reimbursements	Until Audit, plus 1 year	3 years
Treasurer's Receipts Cancelled Checks		6 years
Treasurer's Report		6 years

Type of Record:	Statute, Rule, etc...	Retention Period
<b>Vocational Education:</b>		
AVI Form Vocational Center Regional Contracts Federal Vocational Forms	1 year 20 years	1 year 20 years 6 years
Voucher Manifests		Until Audit, plus 1 year
<b>Tax Forms:</b>		
W-2's' 1099	Keep all records of employment taxes for at least four years after filing the 4 <sup>th</sup> quarter for the year. – 26 C.F.R. §31.6001-1(e)(2)(tax advisors say 7 years)	7years
W-4 Withholding Exemption Certificate	Keep all records of employment taxes for at least four years after filing the 4 <sup>th</sup> quarter for the year. – 26 C.F.R. §31.6001-1(e)(2)(tax advisors say 7 years)	7 years
W-9	Keep all records of employment taxes for at least four years after filing the 4 <sup>th</sup> quarter for the year. – 26 C.F.R. §31.6001-1(e)(2)(tax advisors say 7 years)	7 years
941-E Quarterly Taxes	Keep all records of employment taxes for at least four years after filing the 4 <sup>th</sup> quarter for the year. – 26 C.F.R. §31.6001-1(e)(2)(tax advisors say 7 years)	7 years

**Legal Reference**

*RSA 189:29-a*

*NH Code of Administrative Rules, Section Ed 306.04(a)(4)*

*NH Code of Administrative Rules, Section Ed 306.04(h)*

First reading: 12/13/2023

Adopted: 1/10/2024