

LINCOLN UNIVERSITY

Policy: Record Retention
Policy Number: HRM-118
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Review Officer: Chief Human Resources Officer
Status: Approved by President and Active

Introduction and Purpose

This policy sets forth the general University-wide minimum standards and procedures of Lincoln University (“University”) to the retention of University Records. The University recognizes the importance of proper maintenance and retention of University Records to meet legal standards, minimize the cost of record retention, optimize the use of space, and ensure that outdated and useless records are destroyed. To that end, the purpose of this policy is to set forth basic principles in preserving University records and the legal destruction of University records to comply with state and federal records retention laws.

1. Applicability

This Policy shall apply to all “University Records” as defined in this Policy. This Policy, as supplemented by department-specific record retention schedules, copies of which are on file with the University Office of Risk Management, governs the retention and disposition of all University Records.

2. Definitions

The following definitions apply specifically for the purposes of this Policy:

2.1. Electronic Records

“Electronic Records” means those University Records (defined below) that are in electronic format, including but not limited to emails transmitted via the University System for the purpose of conducting University business. Electronic Records are considered University Records and, therefore, must be treated in the same manner as hard copies for the purposes of this Policy and are subject to all the same requirements set forth for in this Policy for hard copy records except that if an email or other Electronic Record has been printed out in hard copy and that hard copy of the record has been properly filed in the relevant subject matter file, the electronic copy of that University Record may be deleted, unless it is subject to a Court Order prohibiting such deletion, or

to a Litigation Hold Notice (described below), or a directive to the contrary from the supervisor.

2.2. University Records

A “University Record” for the purpose of this Policy means any documents or data (“records”) containing information related to the University that are generated, received, or compiled by University Personnel in the conduct of University business, whether such document or data is in electronic, paper, or some other recorded form.

2.3. University Personnel

“University Personnel” as used in this Policy means every employee of the University.

3. Policy

- 3.1. It is the policy of Lincoln University to retain different types of records for specific minimum periods, in accordance with the business needs of the University as well as federal and state record retention mandates. Since different departments of the University have different recordkeeping needs and since the appropriate periods for record retention are subject to ongoing statutory and regulatory changes, and are affected by changes in technology, each Division Administrator shall develop, maintain, and disseminate to its staff a departmental guideline and procedures for records management (“Department-Specific Record Retention Guidelines).
- 3.2. In order to meet legal standards for protection, storage, retrieval, and to optimize space, minimize cost, protect the privacy of faculty, staff and students, and preserve the University’s history, Department-Specific Record Retention Guidelines shall provide for:
 - a. Categories of documents for retention;
 - b. The party responsible for record retention;
 - c. The location of retained documents;
 - d. The minimum Department-specific period for retention for each category;
 - e. A permanent summary of the records disposed of by category and time frame; and
 - f. The method used to dispose of each category of records.

4. Litigation Hold

Any record pertaining to expected litigation, or a claim, audit, agency charge, investigation, or enforcement action, shall be retained at least until final resolution of the action. If faced with litigation, or anticipated or threatened litigation, an office's normal document destruction policy shall be suspended until the later of the notice from the Office of Risk Management of the release of any Litigation Hold Directive, or one year after the litigation, including any appeals, is officially concluded. *For further information, please review the Litigation Hold Policy.*

5. Confidentiality

Many records subject to record retention requirements contain confidential personally identifiable information. These records are protected by federal and state legislation, including but not limited to the Health Insurance Portability and Accountability Act (HIPAA), the Family Educational Rights and Privacy Act (FERPA), and the Gramm-Leach-Bliley (GLB) Act. It is essential that the retention of confidential records is compliant with all such legislation and with all University Policies concerning Privacy and Record Confidentiality.

6. Disposal and Destruction of Records

Records shall be retained as long as they are needed for business reasons and for the full duration of the legal retention period. If, after consulting with the Office of Human Resources, it is appropriate to dispose of any records, they should be destroyed by:

- 6.1. For hard copy University Records with confidential information, shredding or otherwise destroying in a manner that will prevent access to confidential paper information.
- 6.2. Permanently erasing or destroying Electronic Records
 - All labels identifying the content of the media should be removed or made illegible.
 - CD-ROM / DVD media should be physically destroyed
 - Any other electronic media record in a format not provided for above must be rendered unreadable by other appropriate means.
- 6.3. For hard copy University Records with no potential confidential information, by recycling such non-confidential paper records.

7. University Archives

Records designated as having significant administrative value and holding a retention period of “permanent” are eligible for transfer to the University Archives.

8. Record Retention Schedules

The minimum period of retention for most categories of University Records is set forth in the Department-Specific Records Retention Guidelines which are incorporated herein by reference. Such Department-Specific Records Retention Guidelines are on file with the University’s Office of Risk Management in addition to being available in the individual Department. In addition, some University-wide minimum periods apply to certain categories of University Records. Those are set forth in Appendix A of this Policy, or any amendments to that Appendix, and are incorporated herein by referenced. In the event of a conflict between the period of retention set forth in Exhibit A of this Policy, or the period set forth in the Department-Specific Guidelines, the longer of the two periods shall apply. If you have questions, contact the Office of Risk Management.

9. Dissemination of Policy and Enforcement

- 9.1. This Policy as well as the applicable Department-Specific Records Retention Guidelines shall be disseminated to all administrative staff with hiring and supervisory authority within the University and published on the University’s official website.
- 9.2. It is the responsibility of University administrators and management for ensuring the enforcement of the Policy within their assigned areas of oversight.
- 9.3. Employees violating the Policy will be subject to disciplinary action, which may lead to termination of employment.

References

Lincoln University Record Retention Program Guidelines
SHRM White Paper (1997 as reviewed December 2002)
Age Discrimination in Employment Act of 1975 (ADEA)
Americans with Disabilities Act of 1990 (ADA)
Civil Rights Act of 1964; Title VII
Consolidated Omnibus Budget Reconciliation Act (COBRA)
Employee Retirement Income Security Act (ERISA)

Equal Pay Act of 1963
Executive Order 11246 and 11375
Fair and Accurate Credit Transactions Act (FACTA)
Fair Labor Standards Act (FLSA)
Family Educational Rights and Privacy Act (FERPA)
Family & Medical Leave Act (FMLA)
Federal Income Tax Withholding Regulations
Federal Insurance Contribution Act (FICA)
Federal Unemployment Tax Act
Gramm-Leach-Bliley (GLB) Act
Health Insurance Portability and Accountability Act (HIPAA)
Immigration and Reform Control Act (IRCA)
Occupational Safety and Health Act (OSHA)
Rehabilitation Act of 1973
Sarbanes-Oxley Act (SOX)
Uniform Guidelines on Employee Selection Procedures (USESP)
Vietnam Veterans' Readjustment Act

Questions regarding this Policy may be directed to:

The Office of Human Resources
1570 Baltimore Pike
Lincoln University, PA 19352-0999
484-365-8059
hr@lincoln.edu

APPENDIX A
UNIVERSITY-WIDE MINIMUM RETENTION PERIODS FOR CERTAIN RECORDS
(SUPPLEMENTED BY DEPARTMENT-SPECIFIC RECORD RETENTION GUIDELINES)

As a result of the volume of document files maintained by the University, an exhaustive list setting forth the retention period for each individual document is not practical. For this reason, this policy, as supplemented by the Department-Specific Record Retention Guidelines for your Department sets forth general categories of documents and the required minimum retention period for University Records (as defined in this Policy) falling in these categories. Unless otherwise specified, all documents should be retained for the LONGER of the period set forth below for the category or the period specified in the applicable Department-Specific Guidelines supplementing this general university-wide Policy.

All numbers in the retention period column refer to a period of years, unless otherwise specified. In some instances letters are used in place of, or following, the period of years to further explain the duration period. The key for the abbreviations is as follows:

P: Permanent.

SUP: Superseded; records are kept until they are replaced by more current versions or become obsolete.

IND: Indefinite; the retention period cannot be determined at the time the record is created. The record is to be reviewed at least once per year to determine whether the document should be retained or destroyed.

AE: After Expiration.

AS: After Settlement, final disposition or final payment.

AT: After Termination.

AC: After closure of file.

RECORD CATEGORY	RETENTION PERIOD
1099 Forms	P
Accreditations records	P
ADA/Section 504 (Student)	2 years following graduation
ADA/Section 504 (Employee)	P
Admission Records (attending)	3 years after graduation/ last attendance
	3 years after admission

RECORD CATEGORY	RETENTION PERIOD
Admission Records (non-attending)	decision
Affirmative Action programs (and related support data)	2 years after year to which records relate
Alumni Records	P
Annual Budget	P
Annual Financial Statements (Audited)	P
Annual Reports Per Chapter 5 of Pa. Right-to-Know Law	8 years after year of Report
Annuity Gift Agreements	P
Bond Indentures	P
Citations, violation notices	3 years AS
Claims (after settlement)	10 years from conclusion
Claims files (including correspondence, medical records, injury documentation, etc.): a. Workers compensation b. First party c. Other third party d. Long term disability e. Group life f. Health insurance	a. 10 years AC/AS b. 5 years AC/AS c. 5 years AC/AS d. 10 years AC/AS e. 5 years AC/AS f. 5 years AC/AS
Collective Bargaining Agreements	P
Copyrights and Trademark Office of Registration and Records	P
Contracts and Agreements	8 years from end of contract period
Correspondence with employment agencies and advertisements for job openings, including any other documents indicating selection criteria for filling positions	3 years from date of hiring decision
Deeds and Easements	P
EEO-1 and EEO-2 Employer information reports	Longer of 5 years after SUP or filing
Employee exposure records (?) workplace injuries?	Longer of 40 years or 30 years AT
Employee's general personnel records	6 years AT
Employee handbooks and training manuals	P
Endowment Contributions Support	P
Environmental inspections/abatement records	P

RECORD CATEGORY	RETENTION PERIOD
Expense Reports (Employee)	10 years
FMLA Requests for leave under and related documents	3 years after request
Grant Records	8 years after close-out audit
Hazardous Materials (including asbestos, lead, toxic chemicals, etc.) Abatement Records	P
Health and safety bulletins	5 years
HEALTH AND WELFARE PLANS, INCLUDING GROUP HEALTH, DENTAL, VISION, LIFE, DISABILITY (Operative Documents and Summaries) – Plan Documents, Declarations of Trust; Plan Service Provider Agreements, Resolutions, Summary Plan Descriptions, Insurance Policies, Summaries of Material Modifications, Summary Annual Reports; Participant Disclosures, Custodial Agreements Pension plans, resolutions, and other operative documents relating to University Health & Welfare Plans.	P
HEALTH AND WELFARE PLANS (Governmental Filings, Reports and Determinations), including any Forms 5500; Audit Records; Determination Letters; IRS Private Letter Rulings; DOL ERISA Opinion Letters; Voluntary Compliance Correction Program Records	P
HR Policies	P
HUD lead paint notification records	P
Individual contracts of employment	7 years AT (of employment)
I-9	3 years after date of hire or 1 year after term, whichever is later
Insurance Policies	10 years
INS Employment Eligibility Verification Form I-9	Longer of 3 years from the date of hire, or 1 year AT
Internal Audit Reports	7 years
Internal Audit workpapers	7 years
Legal Correspondence	P
Legal records relating to each occupational injury or illness, including the annual summary, safety records and other OSHA forms (other than hazardous material expense records)	5 years
Legal Release/Settlements	25 years
Licenses, permits and applications	3 years AE
Mortgages and easement documents (Real Estate)	P

RECORD CATEGORY	RETENTION PERIOD
NCAA Records – General	10 years
NCAA Records – Student	5 years after graduation
Payroll – Individual Time Reports	Current Year + 7
Payroll – Miscellaneous Deduction Reports	Current Year + 7
Payroll – Pay Period History	Current Year + 7
Payroll – Pay Records	Current Year + 7
Payroll Records	Current Year + 7
Pell Grant	5 years after award year
Perkins Loan	5 years from date loan assigned to DOE, cancelled or repaid
RETIREMENT PLANS (Operative Documents and Summaries) – Plan Documents; Declarations of Trust; Adoption Agreements; Resolutions; Summary Plan Descriptions, Summaries of Material Modifications, Summary Annual Reports; Custodial Agreement, resolutions, and other operative documents relating to University Retirement Plans.	P
RETIREMENT PLANS (Participant Records), including contribution and account records, elections and waiver records, records of employee service, eligibility, accounts, hardship loans, and accounts relating to Retirement Plans (including hours worked and any breaks in service)	7 years after death of Employee-Participant and all Beneficiaries
RETIREMENT PLANS (Governmental Filings, Reports and Determinations), including any Forms 5500; Audit Records; Determination Letters; IRS Private Letter Rulings; DOL ERISA Opinion Letters; Voluntary Compliance Correction Program Records	P
Student Discipline Records (Expulsion, Suspension)	P
Student Discipline Records (General)	7 years after graduation/last attended
Student Immigration F-1	During enrollment/1 year after report of departure
Student Immigration J-1	3 years
Student Immigration M-1	During enrollment/1 year after report of departure
Student Loan Ledger	P
Student Residential Life Records	During enrollment/1 year after report of departure
Tax Records (including Tax Exemption) and Correspondence	P

RECORD CATEGORY	RETENTION PERIOD
Tax Records of Employee Wages	P
Tax Returns and Work Papers	P
Title IV	3 years from date of alleged discrimination
Title IX	3 years from date of alleged discrimination
Trust/Bequests	Indefinitely
Unemployment Compensation Report – Quarterly	P
W-4 Records	P
Withholding Tax Statements (W-2)	P