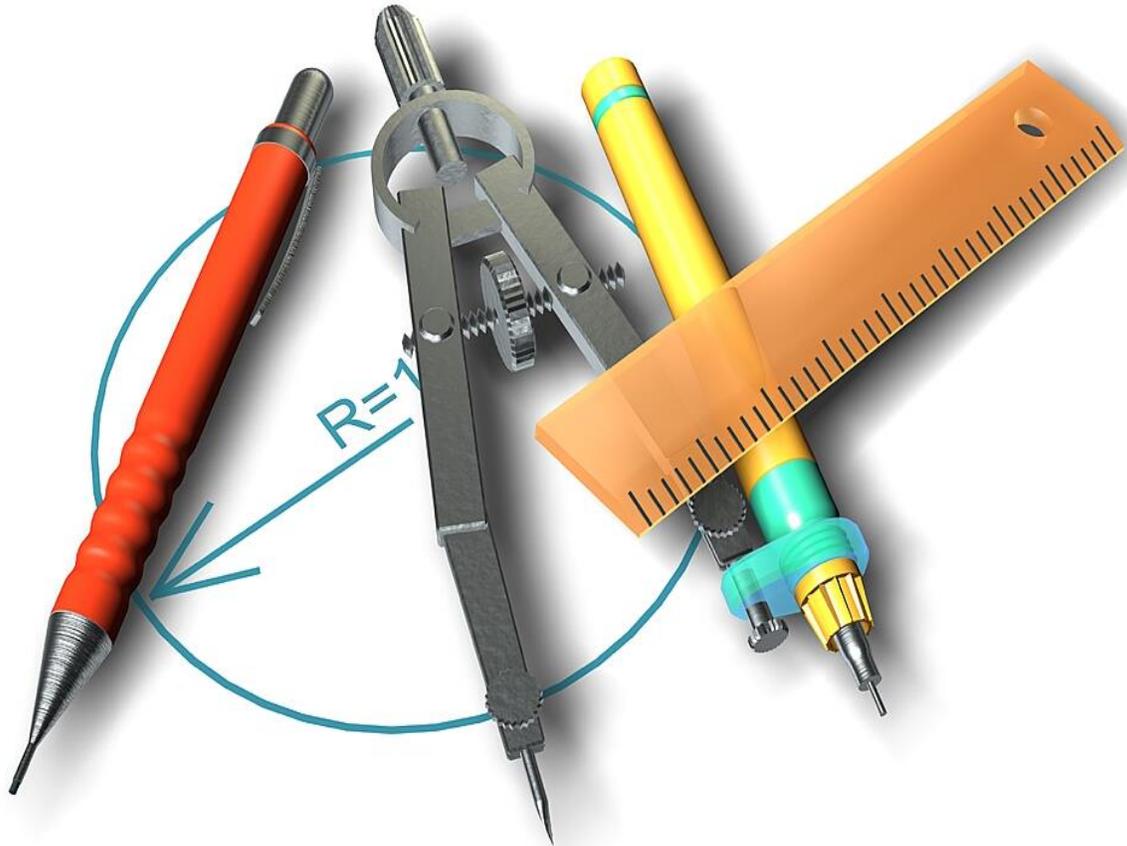


RECORDS RETENTION AND DISPOSAL GUIDE FOR SASKATCHEWAN SCHOOL DIVISIONS



December 2012 – Version 2

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It is recommended that this guide and schedule be reviewed by **2017**.

Disclaimer: This Guide is not a substitute for legal advice. Each school division is responsible for determining its own legal rights and obligations with respect to its records. The Province of Saskatchewan, the Saskatchewan Association of School Business Officials, the Saskatchewan School Boards Association and Saskatchewan Archives take no responsibility for any damages that a school division may incur to its detriment by relying on any provision in this Guide.

I. INTRODUCTION

In today's information-driven environment, an efficient records management program is essential for all school divisions. Recorded information provides the basis for school division activities, from employee information to student information to policies and procedures. Records are the "institutional memory". Records are necessary for decision making, for policy development, for legislative compliance, for meeting fiscal and legal requirements, for program implementation and for almost every aspect of day-to-day administrative work. It is a school division's responsibility to ensure that consistent and reliable records management practices are followed.

Records retained by school divisions could have a bearing on the history of Saskatchewan. From a genealogical standpoint, the most valuable records kept by schools are the attendance registers of pupils. Education has contributed a great deal historically to the province and it is important that this history be preserved into the future. The Saskatchewan Archives Board is a public service institution dedicated to encouraging and assisting in the exploration of our province's history and Saskatchewan Archives should be given the opportunity to determine a record's historical value prior to its disposal.

This guide has been developed jointly by the Saskatchewan School Boards Association (SSBA) and the Saskatchewan Association of School Business Officials (SASBO) to assist school divisions in decisions on retention and disposal of records. It pertains to records in all formats created, received and stored by school divisions. The retention periods contained in this schedule are based on the administrative, legal and fiscal/financial requirement of each record or good practice. These periods reflect the length of time each record should be kept.

There are legislative provisions that specifically state how some types of records must be handled. For other types of records, legal issues may influence the recommendations.

Legal requirements and good practices have been differentiated and/or blended where appropriate in this guide.

II. LEGISLATION

There are several pieces of legislation that work together and school divisions should consider the records management, retention and disposal requirements contained therein with respect to the treatment of records. This legislation includes, but is not limited to, the following:

The Education Act, 1995: The Minister of Education (the Minister) has authority under section 369 of *The Education Act, 1995* to approve of the disposal of all public documents that a board of education of a school division (a board) has by resolution authorized for disposal. Section 369 authorizes boards to deposit any of their public documents with the Saskatchewan Archives Board (the SAB). The SAB has shown interest in retaining certain board documents.

The Minister takes the position that public documents are those that are created in the administration of the public affairs of a school division and conseil scolaire. The Minister has ordered that boards not dispose of public documents before the end of the retention periods listed in the attached, Records Retention and Disposal Schedule. A board may request the Minister not to require the board to follow the aforesaid disposal rules either generally or in individual circumstances. The Minister reserves the right to amend the retention Order or to overrule it generally or in specific circumstances in such fashion as the Minister may in her absolute discretion advise boards from time to time.

With a view to encouraging boards to adopt good public documents retention and disposal practices, the Minister recommends that boards of education:

- (1) prepare and send to the SAB by post or in electronic format detailed descriptive lists of their public documents referred to in board resolutions that authorize their disposal;
- (2) 60 days after sending lists to the SAB as referred to in (1), dispose of public documents either:
 - (a) if requested by the SAB, by sending the originals to the SAB; or
 - (b) if not requested by the SAB in any manner that is consistent with the boards' record disposal best practices, and taking into consideration any general advice from the SAB; and
- (3) comply with all laws when releasing or otherwise disposing of public documents, including the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act* that may pertain to any personal or other confidential information contained in public documents.

The Education Act, 1995 also requires that certain other documents be retained by the board of education:

- s.71 - declarations of board members on taking office
- s. 51 - ballots, poll book and related materials

The Local Government Elections Act: Section 112 states that a board of education is required to retain all election documents sealed or resealed in the ballot boxes for two months after election day. As soon as possible after that date the documents can be destroyed.

The Local Authority Freedom of Information and Protection of Privacy Act: This is legislation respecting the right of access to documents of local authorities and a right of privacy with respect to personal information held by local authorities. It applies to all records collected, compiled, used and released by school divisions, including all public documents.

Youth Criminal Justice Act: This *Act* includes specific requirements pertaining to the collection, publication, access and destruction of information pertaining to young offenders.

The Archives Act, 2004: Section 26 permits a school division in Saskatchewan, with the consent of the Provincial Archivist, to deposit any of its non-current records with the Saskatchewan Archives Board for preservation.

III. RECORDS MANAGEMENT

For the purposes of this document a record is information in any form and includes information that is written, photographed, recorded or stored in any manner, but does not include computer programs or other mechanisms that produce records. A record includes paper, microfilm, electronic and other formats of recording and storing information. This section provides the basic procedures for managing, storing and destroying records in an effective, consistent and accountable manner. The records management, retention and disposal process contained in this guide should be followed prior the disposal of any records. This will ensure that no public records of historical value are inadvertently destroyed.

Managing Records - General Principles

Original records should be maintained and used whenever practical. Copies can be made and retained if appropriate procedures are followed. The most common choice is microfilm or electronic image. Board policy should identify when these processes can be used. In most cases it is advisable to retain the original documents in its original form. It is possible to copy originals and then destroy them; this should be done carefully in accordance with board policy or administrative procedures.

If a microfilm or electronic image is chosen, it is advisable to comply with *The Saskatchewan Evidence Act* and conduct the microfilming/imaging process according to standards developed for application of this legislation. Microfilmed source documents can be disposed of as additional copies providing complete disposal documentation is retained showing how/when source records were destroyed and witness' signatures are included.

Managing Records - Specific Matters

1. Personal Information

Personal information is information about an identifiable individual that is recorded in any form and that would reasonably be expected to be kept confidential. Personal information is to be maintained in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*, whether or not it is contained in a public document.

Personal information should be retained only as long as necessary for the fulfillment of its stated collection purpose. A local authority has to demonstrate that proper records management practises were followed when an individual has requested access to information that has been destroyed.

2. Personnel Files

Teacher personnel files and medical records should be maintained in accordance with the terms of the Provincial Collective Bargaining Agreement between Saskatchewan Teachers, Boards of Education, the Government of Saskatchewan and *The Local Authority Freedom of Information and Protection of Privacy Act*. Non-teaching personnel files should be maintained in accordance with the terms of any collective agreements pertaining to those personnel files and with *The Local Authority Freedom of Information and Protection of Privacy Act*.

3. Youth Justice Files

Youth justice files maintained by school divisions are subject to restrictions and protection of privacy requirements established by *The Youth Criminal Justice Act, 2002* and *The Local Authority Freedom of Information and Protection of Privacy Act*. The information contained in these files should be carefully assessed to ensure, where appropriate, this information is stored separately from other records in a locked filing cabinet in a secure area. Strict and transparent policies and procedures governing access to these records should be in place. For example, an individual who has access to the records could be designated to maintain a log indicating who, when and which records are accessed.

4. Transitory Records

Transitory records are of temporary usefulness, needed only for a limited period of time to complete a routine task. Examples of these types of records are telephone messages, routing slips, open envelopes, etc. Transitory records can be destroyed after used. An email message inviting an employee for lunch could typically be considered to be a transitory record and as such would be deleted. However, if an employee is meeting with someone to discuss business and the message includes details regarding a matter to be determined, the e-mail could be considered a record and filed and retained accordingly. Some other records could also appear to meet the criteria of being transitory but because of how they are used in the course of business, they may have to be retained. Examples of such records could include an envelope with a stamp showing the date received, a telephone slip providing evidence of an individual calling on a certain date and time, a note giving instructions on how to conduct a task, a telephone message giving authorization to carry out a certain activity and others.

It is advisable that school boards develop policy or administrative procedures identifying to school division employees what a transitory record is,

5. Permanent Records

Records that are scheduled for permanent retention need to be accessible and retrievable at any time and in a format that is cost effective and legally acceptable. When working with an electronic medium, it is recommended that storage for long-term preservation be carefully considered. Permanent records should be secured in a suitable environment, protected as much as possible against accidental destruction or loss.

6. Election Records

All election documents other than those sealed or resealed in the ballot boxes are considered public documents of the school division and are to be retained in accordance with the appropriate legislation and then destroyed with approval of the board. The records should be destroyed in the presence of two witnesses whose affidavit is filed in the records of the division. Where co-operation between/among school divisions or school division and municipalities has resulted in a single set of election records referred to in the schedule, they must be retained in whole or in part by the co-operating jurisdictions in such a manner that all of the election records are retained in accordance with the appropriate legislation.

7. Records of Disestablished School Divisions

Records of disestablished school divisions are also important documents. School records should remain with the school in the new division and the division office files should be sent to the new division if the former office is located within the new division boundaries. School divisions responsible for the records should ensure that these records are maintained properly and disposed of in accordance with the procedures described in this guide.

8. Correspondence

Correspondence can be sorted in accordance with the related categories in the schedule. For example, correspondence related to the establishment of bank accounts can be classified in the Bank Accounts category and correspondence regarding building permits in the Building Permits category.

Storage of Records

Boards of education have a responsibility to ensure that records are kept at all times in a secure, safe and suitable environment and protected against accidental destruction or loss. Safe and acceptable storage includes a secure and secluded area specifically designated for storing records, away from sources of humidity, fire, electricity and public access. If possible, records that are not retrieved regularly should be stored in acid-free boxes in a secure and closed area with limited access. The humidity and temperature levels necessary for safe storage of records will depend on the type of record medium (paper, electronic, etc.). Although it is not always possible to implement and maintain strict environmental control, general recommendations are that records are stored in a dry and cool environment.

Additional protection is necessary for records containing personal, medical or confidential/sensitive information to prevent breach of privacy or confidentiality.

The Local Authority Freedom of Information and Protection of Privacy Act

Boards of education are subject to *The Local Authority Freedom of Information and Protection of Privacy Act* (LAFOIP) when collecting, compiling, using and releasing certain confidential information, including personal information. It is not an objective of this guide to outline in detail the requirements of LAFOIP. Decisions as to what information can be or will be released should be made by the chairperson of each school division or the board's designate (the "head"). Where the provisions of LAFOIP are inconsistent with this guide, boards should follow the provisions of LAFOIP.

LAFOIP provides that documents containing personal information should be retained only as long as they are required for the purpose for which they were created or collected. The retention schedule in this guide is a reasonable estimate of the time such records will be required. Personal information or other confidential information in any documents, public documents or not, which school divisions are not allowed to disclose under LAFOIP, should not be sent to the SAB. Such information may be destroyed after the retention period set out in the schedule without requiring further permission from the Minister. However, the Minister recommends that boards of education provide the SAB with 60 days notice before destroying these records. That would give the SAB an opportunity to convince the head that for example, the public interest in disclosure clearly outweighed any invasion of privacy that could result from the disclosure (as allowed by LAFOIP).

Records should be destroyed in the presence of a witness. A destruction notification form/letter should be completed and filed. The notification should include the list of documents being destroyed, date, location of the disposal and the signature of two authorized persons witnessing the destruction. It is recommended that all sensitive information be destroyed by confidential shredding services.

IT IS RECOMMENDED THAT THE DISPOSAL PROCESS DESCRIBED BELOW FOR PUBLIC RECORDS ALSO BE CONSIDERED FOR NON-PUBLIC RECORDS. THIS WOULD ENSURE THAT NO RECORDS OF HISTORICAL VALUE ARE INADVERTENTLY DESTROYED.

Disposal of Public Records

The following disposal procedure must be followed prior to the disposal of any public records:

- a) Prepare an inventory list of records to be disposed of including box identification (if files are in boxes), titles of records, dates, brief contents description, volume of records, location of records and any other information that may be helpful in identifying records. Schedule designation should be included on the inventory list, for example:
 - Box 1
 - Invoices 1988-1992 - 1.1 Accounts Payable
 - Budget Reports 1992 - 1.8 Budget related reports
- b) Compare records to the schedule to determine if they meet retention periods.
- c) Receive approval by the board of education to dispose of the record. Ensure the motion is recorded in the minutes of the board meeting.

- d)** Contact the SAB with respect to those documents in accordance with the Minister of Education's policy on page 2 under Legislation.
- e)** Records should be destroyed in the presence of a witness. A destruction notification form/letter should be completed and filed. The notification should include the list of documents being destroyed, date, location of the disposal and the signature of two authorized persons witnessing the destruction. It is recommended that all sensitive information be destroyed by confidential shredding services.

IV. RECORDS RETENTION AND DISPOSAL SCHEDULE

The following records retention and disposal schedule is suggested for all school divisions in Saskatchewan.

The schedule combines retention periods interpreted from legislation and retention periods based on good practices. The retention periods meet or exceed statutory requirements. References to statutes that may include relevant references to time periods have been made. The retention periods are not maximum periods and school divisions are responsible for the retention of documents beyond the schedule's retention periods for whatever legal or other purposes they may require. In case of doubt boards should consult legal counsel.

Similar records may be called by different names in different school divisions. **If a particular record is not listed, then use the retention period listed for a record that is similar in nature and kind.**

However, if a school division finds that some current records are not listed in the schedule, **SASBO** should be contacted. If necessary, an amendment will be recommended to the schedule.

Records Retention and Disposal Schedule for Saskatchewan School Divisions

		Retention Period	Public	Non-Public
1. ACCOUNTING AND FINANCE				
1.1	Accounts Payable Includes invoices, payment vouchers, related correspondence	7 years	X	X
1.2	Accounts Receivable Includes receipt records, invoices, vouchers, related correspondence, write-offs, lists of students (for tuition purposes), etc.	7 years	X	X
1.3	Annual Audited Financial Statements	Permanent	X	
1.4	Annual Audit Files (also known as Year End Files) includes all supporting documentation for the audited financial statements	7 years	X	
1.5	Banking			
	1.5.1 Bank Statements	7 years	X	
	1.5.2 Cancelled Cheques or electronic version	7 years	X	
	1.5.3 Deposits	7 years	X	
	1.5.4 Records related to termination and establishment of bank accounts	7 years	X	
	1.5.5 Bank Reconciliations	7 years	X	
1.6	Budget Includes all supporting documentation	3 years	X	
1.7	Budget-related reports and budget generated reports	3 years	X	
1.8	Charitable Organization Returns	7 years	X	
1.9	Debentures and Loans Includes registers, coupons, Local Government Board authorizations	7 years after final payment	X	
1.10	Financial Reports Includes monthly financial statements	1 year	X	
1.11	Goods & Services Tax Returns	7 years	X	
1.12	Investments	7 years after maturity	X	
1.13	Ledgers/Journals		X	
	1.13.1 Accounts Payable Journal	7 years	X	
	1.13.2 Accounts Receivable Journal	7 years	X	

		Retention Period	Public	Non-Public
	1.13.3 General Journal	7 years	X	
	1.13.4 General Ledger	7 years	X	
	1.13.5 Payroll Journal/Register	55 years	X	
	1.13.6 Inventory Journal Includes supplies, parts, tires, etc. on hand	3 years	X	
1.14	Requisitions/Purchase Orders	3 years	X	
1.15	Tenders Includes tenders for materials, supplies, services, equipment, etc. Includes tender books (unsuccessful vs. successful).	3 years after you enter into contract	X	X
2. ADMINISTRATION				
2.1	Agreements/Contracts Includes agreements/contracts for services, copyrights, licensing, etc.	7 years after expiration/termination	X	X
2.2	Information Systems Operations Including systems testing, log files, reports, problems and incidents	7 years for monitoring reports on log data that are used for compliance controls 1 year for raw data for supporting the latest year's compliance audit Log data associated with applications follows these Section 2.2 guidelines	X	X
2.3	Information Systems Development Programming code and associated log files	Log data associated with applications follows Section 2.2 guidelines 3 years for code after the application has been decommissioned	X	
2.4	Insurance Policies			
	2.4.1 Liability	Permanent	X	
	2.4.2 Property	Permanent	X	
2.5	List of School Community Councils	3 years after term of office	X	
2.6	Photographs	3 years		X

		Retention Period	Public	Non-Public
2.7	Records & Files of the Director of Education and Senior staff Includes journals, day planners, lesson plans, calendars (not including records filed elsewhere or transitory records)	3 years	X	X
2.8	Records & Files of Teachers and other staff Includes journals, day planners, lesson plans, calendars (not including records filed elsewhere or transitory records)	3 years	X	X
2.9	Records Disposal Documentation	Permanent	X	
2.10	Records Management – Governance documents Includes record inventories, filing keys, etc.	3 years after superseded	X	
2.11	School Reorganization Includes school closure documentation, grade discontinuance, amalgamation Documentation related to the official record used by the board in making the determination	3 years	X	
3. BUILDINGS AND PROPERTIES				
3.1	Capital Projects Includes architect drawings & specifications, building permits, government approvals, progress certificates, operations manuals, and any related correspondence	3 years after disposal of property or building	X	
3.2	Facility Management Reports Includes building inspections, playground inspections, public health inspections, rental (inspection) reports	3 years	X	
3.3	Land Titles Documents & Records	immediately after disposal of property or building	X	
3.4	Licenses and Permits Note: Building permits included in 3.1	3 years	X	
3.5	Tenancy Agreements, Leases, Joint Use Agreements, Rental Agreements	3 years upon termination/expiration of agreement	X	X
3.6	Sale Agreements	3 years upon termination/expiration of agreement	X	

4. ELECTIONS				
<i>This section is governed by Section 112 of The Local Government Election Act, and Section 51 of The Education Act, 1995</i>				
(Please refer to the most current version of the legislation for updates)				
		Retention Period	Public	Non-Public
4.1	Ballot Box Contents:	3 months	X	
	4.1.1 Ballots	3 months	X	
	4.1.2 Declaration of Agent/Friend/Interpreter	3 months	X	
	4.1.3 Declaration of Polls	3 months	X	
	4.1.4 Deputy Returning Officer Statement of Results	3 months	X	
	4.1.5 Poll Books	3 months	X	
	4.1.6 Voters' Lists	3 months	X	
	4.1.7 Voters' Registration Forms	3 months		X
4.2	Election Records Disposal Affidavit	Permanent	X	X
4.3	Nominations and Receipts	3 months	X	
4.4	Oaths of Office	End of term of Office	X	
4.5	Poll Maps	3 months	X	
4.6	Poll by poll Election Results	3 months	X	
4.7	Returning Officer's Summary of Results	Permanent	X	
4.8	Other election materials deemed to be public	1 year	X	
5. HUMAN RESOURCES				
5.1	Employee Files			
	5.1.1 Contracts and Letters of Employment	7 years after termination of employment	X	X
	5.1.2 Records of Experience	7 years after termination of employment		X
	5.1.3 Performance Evaluations/Letters	7 years after termination of employment		X
5.2	Leave Requests & Approvals	3 years after termination of employment		X
5.3	Absenteeism/Leave Reports (Statistics, data)	3 years		X
5.4	Benefit Remittances	3 years		X
5.5	Educator Profiles (formerly Form 42)	3 years		X

		Retention Period	Public	Non-Public
5.6	Employee Time Sheets	7 years after termination		X
5.7	Payroll Electronic Transmission File	1 year		X
5.8	Payroll Input Forms	1 year		X
5.9	Pension Remittance Statements, STRP, TSC Remittances	3 years		X
5.10	Principals' Monthly Report	1 year		X
5.11	Prospective Employees' Resumes and Applications, including interview notes.	1 year		X
5.12	Records of Employment	7 years		X
5.13	Sick Leave/Medical Documents	1 years unless continuing condition		X
	5.13.1 Supplemental Employment Benefits Plan Documentation	1 years unless continuing condition		X
	5.13.2 OH&S, WCB' SGI , LTD	1 year after issue is resolved		X
5.14	Support Staff Salary Reconciliations	3 years		X
5.15	T4's and CCRA Remittance Statements	7 years		X
5.16	TD1 Forms	1 year		X
5.17	Union Dues, ICP Statements	3 years		X
6. LEGAL				
6.1	Litigation Files (including claims)	3 years after settlement		X
6.2	Minister's Orders	Permanent	X	
7. MINUTES, BYLAWS AND POLICIES				
7.1	Board and Conseil scolaire Minutes and Bylaws	Permanent	X	
7.2	School Community Council and Conseils d' écoles Minutes	3 years	X	
7.3	School Community Council and Conseils d' écoles Reports and Records Includes Home & School minutes	3 years	X	
7.4	Local Board Minutes (legacy school division)	Permanent	X	
7.5	Policy Manuals Includes board and administrative procedures and guidelines	3 years after amendment or repeal	X	
7.6	Board Packages including Board Reports	3years	X	X

8. REPORTS AND STATISTICS				
		Retention Period	Public	Non-Public
8.1	Committee and Administrative Reports Includes projects, proposals, committee reports	3 years	X	X
8.2	Occupational Health and Safety Documents Includes occupational health & safety committee reports and recommendations	7 years	X	X
8.3	School Incident Report Form (insurance broker statistical report)	1 year		X
8.4	Statistics Canada	1 year	X	
9. STUDENT RECORDS/CURRICULUM				
9.1	Cumulative Folders			
	9.1.1 Counsellors' Reports	3 years after student turns 22		X
	9.1.1.1 Authorization for Guidance Counsellors for Access and Student Information (Ministry Form)	5 years		
	9.1.2 Education Psychologists' Reports	3 years after student turns 22		X
	9.1.3.1 Records of Pupils' Final Marks by Grade for K – 9	3 years after student turns 22		X
	9.1.3.2 Records of Pupils' Final Marks by Grade for 10 – 12	3 years after student turns 22		X
	NOTE: GRADE 10 – 12 FINAL MARKS REFERS TO COPIES RETAINED BY SCHOOLS. ORIGINAL RECORDS ARE FORWARDED TO AND RETAINED BY SASKATCHEWAN LEARNING.			
	9.1.4 Speech & Language Pathologists' Reports	3 years after student turns 22		X
	9.1.5 Student Achievement Test Results (including CTBS, CCAT, etc.)	3 years after student turns 22		X
9.2	Student Registration Forms	3 years after student turns 22		X
	9.2.1 Security Administration form for SDS (school level)	6 years		
9.3	Custody Documents	3 years after student turns 22	X	X
9.4	Curriculum Guides and Locally Developed Courses (including curriculum guides for locally developed courses)	3 years	X	
9.5	Student/Parent Lists	3 years		X
9.6	School Registers and Annual/Semester Attendance Records Summary (electronic year end summaries)	Permanent		X
9.7	Extra Curricular Activities Schedules – volunteers, consent forms	3 years after student turns 22		X
9.8	Youth Justice Records (legal documentation)	As required by Youth Justice Act		X
9.9	Final Exams	3 years after student turns 22		X

		Retention Period	Public	Non-Public
9.10	Field Trip Requests Includes waivers	3 years after student turns 22		X
9.11	Student Behaviour Reports – discipline, suspension, expulsion, injury, harassment, parent communication regarding students, etc.	3 years after student turns 22		X
10. TRANSPORTATION				
10.1	Bus Route Maps Includes student lists, check-off lists, etc.	3 years	X	X
10.2	Bus Safety Inspection Reports Includes service logs and related documents	3 years	X	
10.3	Driver Records	5 years	X	X

School Generated Records - Quick Reference Guide

The following is a quick reference guide to assist school based administrators. For any records not specifically listed in the following, please refer to the main body of this schedule.

Section Number	School Generated Records	Retention Period
5.3	Absenteeism/Leave Reports (Statistics, data)	3 years
1.5.5	Bank Reconciliations	7 years
10.1	Bus Route Maps	3 years
8.1	Committee Reports	3 years
9.1	Cumulative Folders	3 years after student turns 22
5.6	Employee Time Sheet	7 years after termination of employment
1.10	Financial Reports	1 year
1.11	Goods and Services Tax Returns	7 years
5.2	Leave Requests and Approvals	3 years after termination of employment
1.2	List of Students (for tuition billing purposes)	7 years
8.2	Occupational Health and Safety Documents	7 years
5.1.3	Performance Evaluations/Letters	7 years after termination of employment
3.2	Playground Inspections	3 years
3.2	Public Health Inspections	3 years
1.14	Requisitions/Purchase Orders	3 years
7.3	School Community Council Reports	3 years
1.2	School Generated Funds (including SRC, etc.)	7 years
2.7	School Petty Cash Statements	7 years
2.7	Staff Meeting Minutes	7 years
8.3	School Incident Reports	1 year
1.2	Student Billing Information for school fees	7 years
9.5	Student/Parent Lists	3 years
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