

HAYWOOD COMMUNITY COLLEGE	ADMINISTRATIVE <b>COLLEGE RECORDS</b>	Policy 2.3.8
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## **I. GENERAL POLICY**

The College will retain and destroy records in accordance with this Policy and the approved [Record Retention and Disposition Schedule](#) (“the Schedule”) for community colleges adopted by the North Carolina Department of Cultural Resources and the North Carolina Department of Community Colleges. Local reference dates are specified in Procedure 2.3.8.1 - Local College Retention Schedule.

This Policy deals with general College records. For more specific information regarding personnel and student records and clarification regarding electronic records, see:

- A. Policy 3.3.1 – Personnel Files.
- B. Policy 5.4.3 – Students Records – FERPA.
- C. Policy 7.3 – Electronic Records Retention.

## **II. NORTH CAROLINA PUBLIC RECORDS ACT**

Unless otherwise exempt by law, all records made or received regarding the transaction of public business are public records pursuant to the North Carolina Public Records Act, as defined by the North Carolina Public Records Act, N.C.G.S. § 132-1 *et seq.* Records may not be deleted or otherwise disposed of except in accordance with the Schedule. The content of the record determines its retention requirement.

## **III. RECORDS CUSTODIAN**

The College’s overall records custodian is the President of the College and inquiries regarding the College’s records should be directed to this office; however, inquiries regarding student records should first be made to the Vice President of Student Services and inquiries regarding personnel records should first be made to the Director of Human Resources. For clarification as to electronic records, see Policy 7.3 – Electronic Records Retention.

## **VI. LITIGATION HOLD**

A litigation hold is a directive not to destroy records which might be relevant to a pending or imminent legal proceeding. The President may establish a committee to oversee and monitor litigation holds; this committee may contain a member of the Information Technology Services Department (“ITS”), the College’s legal counsel and a member of the Administrative Team. In the case of a litigation hold, the committee shall direct employees and the ITS Department, as necessary, to suspend the normal retention procedure for all related records.

## **VII. RECORD DISPOSITION**

Records may only be disposed of in accordance with the Schedule. Prior to the disposition of any record or record group after the applicable retention period, the records custodian, or their designee, will create and maintain a destruction log.

The President is authorized to adopt appropriate procedures to implement this policy.

Adopted: 11-07-2017

Revised: 04-07-2020

Revised: 03-01-2022

Legal Reference: N.C.G.S. §§ 121-5; 132-1 *et seq*;

Retention Schedule: <https://archives.ncdcr.gov/documents/colleges-north-carolina-community-college-system-retention-and-disposition-schedule>