

Book	Policy Manual
Section	Issue 2 of 2023 June PDQ (Revised)
Title	<b>**OSBA Sample**</b> District Records Commission, Records Retention and Disposal
Code	EHA
Status	From OSBA

## **\*\*This is the OSBA sample policy.\*\***

### **~~Data and~~ District Records Commission, Records Retention and Disposal**

All records<sup>†</sup> are the property of the District and are not removed, destroyed, mutilated, transferred or otherwise damaged or disposed of, in whole or in part, except as provided by law or under the rules adopted by the District Records Commission. Such records shall be delivered by outgoing officials and employees to their successors and shall not be otherwise removed, transferred or destroyed unlawfully.

**"Records" include any document, device or item, regardless of physical form or characteristic, including an electronic record (as defined in Ohio Revised Code Section (RC) 1306.01), created or received by or coming under the jurisdiction of the District that serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the District.**

#### **District Records Commission**

**The District Records Commission revises and reviews schedules of records retention (RC-2 forms), reviews applications for one-time disposal of obsolete records (RC-1 forms), and reviews certificates of disposal (RC-3 forms) submitted by any employee of the District.**

**The Commission is composed of the Board President, the Treasurer and the Superintendent and meets at least once every 12 months. The Commission will post advance notice of the time and place of all regularly scheduled meetings and the time, place and purpose of all special meetings on the District's website. For special meetings, notice of the time, place and purpose is also given at least 24 hours in advance of the meeting to all news media and individuals who have requested such notice.**

**Any person may receive advance personal notice of all meetings at which a specific type of public business is to be discussed by the Commission. Such requests shall be directed to the Treasurer. Requests for notification by email shall include the requestor's email address. Requests for notification by mail shall include a supply of stamped, self-addressed envelopes provided by the requestor. Individuals requesting advance personal notice are responsible for providing the Treasurer with any updates to contact information.**

**The minutes of the meetings of the Commission are promptly prepared, filed and maintained by the Treasurer and are open to public inspection.**

#### **Records Retention Schedule**

**The District Records Commission revises and reviews a schedule of records retention. When the Commission has approved a schedule of records retention, the schedule is sent to the Ohio History Connection (OHC) for review. OHC will review the schedule within a period of 60 days. During this time, OHC may select for its custody any records it considers to be of continuing historical value. OHC will denote upon any schedule of records retention the records for which they will require a certificate of records disposal prior to their disposal. After OHC has completed its review, OHC will forward the applications and/or schedules to the Auditor of State for their approval or disapproval. The Auditor of State must approve or disapprove the application and/or schedule within 60 days.**

**The Commission may at any time review any records retention schedule it has previously approved and may revise that schedule in accordance with State law.**

#### **Disposal of Records**

**Before public records are disposed of pursuant to an approved records retention schedule, the Commission verifies whether OHC requires a certificate of records disposal (RC-3 form) prior to disposal. If OHC has requested to review the records, the District will complete a certificate of records disposal and give OHC the opportunity for a period of 15 days to select for its custody such public records as it considers to be of continuing historical value. OHC may not**

review or select for its custody the records set forth in RC 149.381(E). If OHC has not requested to review the records, or if OHC has not responded within the statutory review period, the District disposes of the public records pursuant to its approved records retention schedule.

If the District discovers records that have never been properly scheduled on an RC-2 and are no longer created or were only created once and they no longer have any administrative, fiscal, legal, or historical value, the District will submit an application for the one-time disposal of these obsolete records (RC-1 form) to OHC for review. OHC will review the application within a period of 60 days. During this time, OHC may select for its custody any records it considers to be of continuing historical value. After OHC has completed its review, it will forward the application to the Auditor of State for their approval or disapproval. The Auditor of State must approve or disapprove the application within 60 days.

~~The District Records Commission is composed of the Board President, the Treasurer and the Superintendent and meets at least once every 12 months.~~

~~The function of the commission is to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by any employee of the District. Records may be disposed of by the District pursuant to the procedure outlined below. The commission may at any time review any schedule it has previously approved and may revise that schedule, in accordance with State law.~~

~~The Superintendent designates a Records Officer in each department/building who is responsible for all aspects of records retention, including electronic mail, within that department/building.~~

~~When the District Records Commission has approved an application for one-time disposal of obsolete records, or any schedule of records retention and disposition, the applications and/or schedules are sent to the Ohio History Connection (OHC) for review. The OHC will review the application or schedule within a period of 60 days. During this time, the OHC may select for its custody any records it considers to be of continuing historical value. The OHC will denote upon any schedule of records retention, and disposal, the records for which they will require a certificate of records disposal prior to their disposal. After the OHC has completed their review, OHC will forward the applications and/or schedules to the Auditor of State for their approval or disapproval. The Auditor of State must approve or disapprove the application and/or schedule within 60 days.~~

~~Before public records are disposed of pursuant to an approved schedule, the District must inform OHC of the disposal of only the records that OHC has requested to see. OHC is given the opportunity for a period of 15 days to select for its custody such public records as it considers to be of continuing historical value.<sup>2</sup>~~

#### **Electronic Mail and Social Media Content**

~~Electronic mail sent or received by the Board and/or District employees and social media content may be considered a public record subject to public disclosure or inspection under the Open Meetings Act (Sunshine Law). If the electronic mail or social media content is the District's official record and meets the definition of a record as defined by State law, then the information must be retained in accordance with the District records retention schedule.~~

~~All Board and District electronic mail communications and social media content are monitored in accordance with the attached regulation to ensure that all electronic mail and social media public records are retained, archived and destroyed in compliance with State law.~~

~~District employees are subject to disciplinary action for violation of this policy and regulation.~~

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<sup>1</sup> ~~Records include any document, device or item, regardless of physical form or characteristic, including an electronic record (as defined in Ohio Revised Code Section (RC) 1306.01), created or received by or coming under the jurisdiction of the District that serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the District, RC 149.011.~~

<sup>2</sup> ~~The Ohio History Connection may not review or select for its custody the records set forth in RC 149.381(E).~~

#### **Legal References**

~~Family Educational Rights and Privacy Act; 20 USC 1232g et seq.~~

~~ORC 9.01~~

~~ORC 121.22(F)~~

~~ORC 149.011~~

~~ORC 149.35~~

~~ORC 149.381~~

~~ORC 149.41~~

~~ORC 1306.01(G)~~

~~ORC 149.43~~

~~ORC 3313.29~~

~~ORC 3319.321~~

~~ORC 3701.028~~

Ohio History Connection Form RC-1  
Ohio History Connection Form RC-2  
Ohio History Connection Form RC-3

#### Cross References

DI - Fiscal Accounting and Reporting  
GBL - Personnel Records  
JO - Student Records  
KBA - Public's Right to Know

**NOTE:** Ohio Revised Code (RC) 121.22(F) requires every public body, including school district commissions, to establish by rule a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place and purpose of all special meetings. OSBA's model policy requires the District Records Commission to post advance notice of its meetings on the District's website. This specific method is not required by law; a commission may establish an alternate "reasonable method" of notice, whereby any person may determine the time and place of all regularly scheduled meetings and the time, place and purpose of all special meetings of the commission.

Districts use a variety of methods to consistently provide notice of their meetings, including posting notice on the District's website, announcements in newspapers, and at community centers, libraries or recreation centers.

In evaluating its method of providing notice, the District Records Commission should determine which method is likely to reach the public and ensure that the Commission consistently provides notice through that method.

#### **THIS IS A REQUIRED POLICY**

#### Legal

[ORC 9.01](#)

[ORC 121.22\(F\)](#)

[ORC 149.011](#)

[ORC 149.35](#)

[ORC 149.381](#)

[ORC 149.41](#)

[ORC 1306.01\(G\)](#)

[Ohio History Connection Form RC-1](#)

[Ohio History Connection Form RC-2](#)

[Ohio History Connection Form RC-3](#)