

I. Purpose

To establish principles, responsibilities, and requirements for managing the College's public records to ensure compliance with federal and state laws and regulations, policies, and best practices for managing records. This policy applies to all public records, regardless of whether they are maintained as hard copy (paper), digital, or some other format.

II. Scope

This policy applies to employees, volunteers, and contractors.

III. General

A. Definitions

Public Records: Recorded information prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it's created. (Michigan Freedom of Information Act (FOIA) (MCL 15.231- 15.232, as amended)

Retention and Disposal Schedule: A legal document that defines how long each record, regardless of its physical format, should be retained.

Confidential Records: Records that contain sensitive or confidential student, patient, and client or employee data that should have limited access and be protected from inadvertent disclosure. Confidential data is information protected by statutes, regulations, college policies, or contractual language.

B. Retention and Disposal

The Information Security Department shall develop Records Retention and Disposal Schedules and make such schedules available to employees.

All employees are responsible for the appropriate disposal of records and other materials that have reached their approved retention period (as set forth in the Schedules) and are no longer required for the efficient operation of the College. Disposal shall be by a method that ensures the privacy of sensitive or confidential information.

Departments that maintain public records shall develop a records management plan consistent with this policy, other college policies, and applicable law. Employees shall organize the public records for which they are responsible to

promote fast and efficient retrieval of information. Appropriate and cost-effective office equipment, indexes, and tools shall be used to maintain public records.

C. Separation from Employment

Employees shall not take public records with them when their employment with the College is terminated, and they shall not destroy records that have not yet reached the end of their approved retention period (MCL 750.491, as amended).

D. Litigation, Investigations, and Freedom of Information Act Requests

No records that are the subject of litigation; pending, threatened, or imminent litigation providing a legal hold order has been issued by the Office of Risk Management and Legal Services (ORMLS); a pending investigation request; an imminent or scheduled audit; or a pending Freedom of Information Act (FOIA) request shall be destroyed until the legal action or activity has ended pursuant to a notice from ORMLS, even if the records are otherwise scheduled for destruction pursuant to this policy.

IV. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Senior Vice President of Business Operations or designee.

Adopted: September 19, 2022