

**The Lutheran University Association, Inc.
d/b/a Valparaiso University**

Records Retention Schedule and Destruction Policy

I. Introduction

Policy Statement:

Valparaiso University requires that certain types of records be retained for specific periods of time, and that records be destroyed in accordance with the Retention Schedule and in an appropriate manner. This policy provides for the systematic review, retention, and destruction of all documents and records received, created, or maintained by the University in connection with University business. The policy contains a schedule for how long certain documents should be retained and how they should be destroyed (unless they are under a legal or other similar investigation, or are otherwise subject to a litigation hold). This policy is designed to enhance compliance with federal and state laws and regulations, and to facilitate the University's operations by promoting efficiency and freeing-up valuable storage space.

Applicability:

This policy applies to all departments, divisions, offices, and employees of the University and the types of records/documents in the Retention Schedule below.

II. Definitions

“Archive” – documents may be archived using the University's electronic document database system unless specifically instructed, or they may be sent to the University Archive for storage.

“Destroy” – to follow the policy and procedures set forth below under Part C. Document Destruction.

“Documents” or “Records” – includes any records created, received, or maintained by University departments, divisions, offices, and employees of the University in connection with University business, regardless of physical form (hard copy or electronic information, including email).

"Confidential Information" - data to which access is restricted for legal or other University business reasons. Examples of confidential data include a person's name together with social security number or bank account number or driver's license number or credit card number, certain personnel records, certain student records, etc.

"Protected Health Information" - any information that must comply with Health Insurance (HIPAA) including the following: 1) Information that relates to the past, present, or future physical or mental health or condition of an individual held by an office; 2) The provision of health care to an individual; or 3) The past, present, or future payment for the provision of health care to an individual.

"Financial Records" – any records containing social security numbers, financial account information, tax returns, asset statements, bank or credit card account numbers, income and/or credit information, or any other records containing “personally identifiable financial information” regarding students, parents, employees, alumni, potential donors, and other third parties.

"Restrictions" – Legal restrictions on the release of information.

III. Policy

A. Document Retention

The University will retain documents in accordance with the University Record Retention Schedule developed by the Office of General Counsel and implemented by and through the Chief Information Officer. The master schedule will be available online at <http://www.valpo.edu/general-counsel/files/2022/03/Records-Management-Schedule-by-Department.pdf> and department heads will be provided a schedule for their individual department. Documents that are not listed, but are substantially similar to those listed in the schedule, will be retained for the length of time required for the substantially similar document.

B. Electronic Documents and Records

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the schedule will be maintained for the scheduled length of time. Backup and recovery methods will be tested on a regular basis.

C. Document Destruction

Departments are responsible for the maintenance and destruction of their own records, with oversight by the relevant Vice President, Dean, Director, or the Provost. The Office of General Counsel will serve as a resource for the ongoing process of identifying records that meet the required retention period. The following hardcopy records will be destroyed by cross-cut shredding: 1) University financial records; 2) individually identifiable financial, medical, student, or personnel related records; and 3) any other documents or records containing confidential information, as defined above, or non-public information about the University. If in doubt as to the proper method to destroy a document, cross-cut shred it.

D. Litigation Hold

Document destruction will be suspended immediately and all potentially relevant records and documents, whether listed on the Retention Schedule or not, must be preserved and maintained when a lawsuit is filed or is reasonably anticipated. Documents that are subject to a “litigation hold,” as determined by the Office of General Counsel, shall be preserved and retained until such time as the Office of General Counsel specifically authorizes the documents to be destroyed. The General Counsel's office will be responsible for notifying individuals when a litigation hold

is in place and the subject matter of the litigation hold.

E. Compliance

Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the University and its employees.

F. Review and Amendment

The Office of General Counsel will periodically review this policy to see that it complies with new or revised laws, regulations and institutional policies.