

SCHOOL DISTRICT RECORDS

It is the policy of the Board of Education (the Board) to inform members of the public about the administration and operation of the public schools in accordance with the Freedom of Information Law (FOIL) of the state of New York.

The superintendent shall develop regulations ensuring compliance with the FOIL Law and setting forth the procedures to be followed to obtain access to Bethlehem Central School District (the District) records, and submit such regulations to the Board for approval. The superintendent shall designate, with Board approval, a records access and records management officer, pursuant to law.

Retention and Destruction of Records

The Board hereby adopts the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for District records. In accordance with Article 57-A, the District will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The District will dispose of only those records that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond the established legal minimum periods.

The superintendent will establish procedures in the event that the District is served with legal papers. The superintendent will communicate with applicable parties, including the school attorney and the records management official, to ensure that, when appropriate, a litigation-hold is properly implemented. The litigation-hold is intended to prevent the destruction or disposal of records that may need to be produced as part of discovery. It is the intention of the Board to comply with applicable rules and regulations regarding the production of necessary documents, data, files, etc. The Board directs the superintendent to institute such procedures to implement this policy.

Cross-ref:

8630, Computer Resources and Data Management

Ref:

Public Officers Law §84 *et seq.* (Freedom of Information Law)

Education Law §2116

Arts and Cultural Affairs Law §57.11

Local Government Records Law, Article 57-A

Federal Rules of Civil Procedure, 16, 26

8 NYCRR Part 185 (Appendix I)

<i>Adoption date:</i>	<i>June 19, 2002</i>
<i>Amended:</i>	<i>February 4, 2009</i>
<i>Re-approved date:</i>	<i>November 28, 2018</i>