



BSF-100 – MANAGEMENT, RETENTION AND DISPOSITION OF UNIVERSITY RECORDS

PURPOSE

The purpose of this policy is to establish University requirements for securely storing, preserving the history of and destroying records in accordance with legal requirements. This Policy applies to all University personnel responsible for the maintenance of University Records, including personnel affiliated with third parties who have access to University Records. All University Records must be managed and governed according to the policy outlined in this document.

DEFINITIONS

- **Record Retention Schedule:** A schedule approved by the University, which specifies the category and type of University Records, the legal source for any Retention Period and the University's official Retention Period for each category and type of University Records.
- **Records Management Office:** The Records Management Office assists University departments with the management and disposition of University Records. They are responsible for overseeing the University's approved document storage provider and updating the Record Retention Schedule. (Contract Manager: Liana Morales, ph. 305-284-2092, email lmorales@miami.edu).
- **Responsible Department:** The department designated on Exhibit A - Records Retention Schedule of a particular category or type of University Record. The departments are responsible for ensuring that University records are retained for the applicable Retention Period and for the timely destruction of University Records. Additional responsibilities are set forth below.
- **Retention Period:** The minimum required length of time for which a Responsible Department is responsible for retaining a specific category and type of University Record before it may be destroyed.
- **University Record(s):** Any stored information or document regardless of format, whether paper, electronic, microform, magnetic tape or other electronic storage media that was created, developed, or received by any academic, clinical, medical records, or administrative office, department, or University personnel. Academic teaching records of individual faculty members are generally excluded from this policy, except those records which may apply to University official business.

POLICY

The University's policy is to comply with all federal, state and local laws regarding retention and disposition of University Records. The Responsible University Department has the primary responsibility for the retention of University Records created by its department or under its control. This responsibility includes: 1) compliance with the Records Retention Schedule for each type or series of records within its possession; 2) disposing of records upon expiration of the Retention Period in an approved manner and 3) complying with all aspects of governmental regulations and statutes. The Records Management Manager will maintain the Record Retention Schedule for this Policy with the information obtained from Responsible Departments and as approved by the University's General Counsel.

RECORDS RETENTION SCHEDULE:

The Record Retention Schedule describes the official Retention Period for each category and type of record at the University (See Exhibit A - Records Retention Schedule). University Records not listed on the Record Retention Schedule should be brought to the attention of the Records Management Manager for inclusion in the Record Retention Schedule. Please view the schedule here: [UM Records Retention Schedule](#).

No official University Records are to be destroyed before the end of the Retention Period as indicated in the Records Retention Schedule. If an original record category or type is not listed on the Records Retention Schedule, the Responsible Department must contact the Records Management Office before destroying the record. The Records Management Office will work with the Responsible Department and General Counsel to determine the status of the record and add it to the Record Retention Schedule when appropriate.

ELECTRONIC RECORD STORAGE (Scanned University Record):

Departments are encouraged to use the University's electronic imaging technology to store records. **University records in electronic format are not required to be retained in paper format by the University Controllers Office, General Counsel, federal, state or other regulatory agency. Once the documents are stored electronically, departments are encouraged to destroy the record paper format, avoiding duplication and unnecessary storage expenses.** Information Technology can assist departments in establishing an electronic imaging process.

STORAGE OF RECORDS:

University Records which must be retained in paper format and are not being used for active provision of services must be stored with the University's approved document storage provider until the Retention Period has been met. Document storage arrangements can be made through the Records Management Office. All University Records stored should be listed on the approved Records Retention Schedule and clearly identified so that the University's approved document storage vendor can maintain complete inventory records for the University. The Responsible Department is responsible for knowing when records reach the end of the required Retention Period and are eligible for destruction.

ARCHIVAL RECORDS:

Records may have historical value, even when they are no longer of immediate administrative value. The University Archives within the University Libraries is the repository of official historical records of the University that are maintained in perpetuity. The University Archives collects non-current official institutional records generated by administrative offices, colleges and schools, University personnel, student organizations and other University related organization. Departments should consult the University Archivist before sending any material to the Archives. Additional information may be obtained from the University Archivist at <http://www.library.miami.edu/universityarchives/>.

DESTRUCTION OF RECORDS:

Each Department is responsible for contacting the University approved vendor for destroying its records in accordance with the Records Retention Schedule. No University Record of any type may be destroyed until the Retention Period established by the Record Retention Schedule has been met, and the record disposition request form has been approved by the Records Management Office.

LITIGATION/LEGAL HOLD:

Destruction or disposal of any University Records must be suspended whenever the University reasonably anticipates litigation or is the subject of a subpoena, audit or investigation. Any records placed on litigation, legal or audit hold may not be disposed of until approval is received by the University department who placed the litigation hold i.e. General Counsel, Controllers Office, Internal Audit, Human Resources, Risk Management, etc.

For destruction or disposal of medical records, check the designated registry to determine if there is a "legal hold" designation for the patient's medical records. The designated registry of medical records that have a "legal hold" is maintained by the Risk Management Department, which can be reached at 305-284-3163.

If there is a "legal hold" for the patient's medical records, do not destroy any portion of the record. Medical records which have a "legal hold" designation will be retained and stored in a designated, secure location by the appropriate records custodian. The HIM department will retain and store hospital-based records on legal hold. The non-hospital, practice based records on legal hold must be stored by the responsible UMMG clinical department.

For more information regarding medical records, please visit the UMH HIPAA Office website at <http://privacyoffice.med.miami.edu/employees/policies-forms>, or 305-243-5000.

For the destruction or disposal of other records or for additional information, contact the Records Management Office at 305-284-6585 or records.management@miami.edu.

Edited: March 2018