



## **RECORDS MANAGEMENT POLICY**

### **Statement of Intent**

This policy establishes the general responsibilities for management, retention, and disposition of SOUTHWEST VIRGINIA COMMUNITY COLLEGE records as mandated by the Virginia Public Records Act (VPRA), Code of Virginia § 42.1---76--§ 42.1---91. This policy applies to all employees (including part-time and per diem) and authorized agents of SOUTHWEST VIRGINIA COMMUNITY COLLEGE and its affiliates.

SOUTHWEST VIRGINIA COMMUNITY COLLEGE is committed to effectively managing its records, regardless of media type, by adhering to best practices and following a systematic and logical plan developed by the organizational units that maintain the records. The successful implementation and ongoing effectiveness of this policy is dependent on the cooperation of each organizational unit to ensure that permanent records are preserved, and nonpermanent records are destroyed in a timely and orderly manner.

The policy will provide guidance for achieving the following objectives:

1. Comply with the Virginia Public Records Act (VPRA), Code of Virginia § 42.1---76--§ 42.1---91, which governs the creation, maintenance, and disposition of public records
2. Develop and implement procedures, guidelines, systems, and business practices that facilitate the creation, backup, preservation, filing, storage, and disposal of records of all formats
3. Create a network of personnel throughout SOUTHWEST VIRGINIA COMMUNITY COLLEGE trained to manage records of all types
4. Reduce risks associated with unintended disclosure of sensitive information
5. Protect essential and historical information about SOUTHWEST VIRGINIA COMMUNITY COLLEGE

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## I. Responsibilities Under the Virginia Public Records Act (VPRA)

### **Records Management Program**

SOUTHWEST VIRGINIA COMMUNITY COLLEGE will implement a sound records management program in accordance with the Virginia Public Records Act (VPRA) § 42.1---76 et seq. An effective records management program will implement Library of Virginia--approved records retention and disposition schedules, document destruction of scheduled records, train employees, and create and disseminate records management procedures.

### **Designated Records Officer**

SOUTHWEST VIRGINIA COMMUNITY COLLEGE will designate a records officer to oversee the SOUTHWEST VIRGINIA COMMUNITY COLLEGE's records management program in accordance with the Virginia Public Records Act (VPRA) § 42.1---85. The designated records officer will serve as a liaison to the Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction of obsolete records.

The President has identified the Risk Manager as the person who will serve as records officer for the college and has submitting the Records Officer Designation and Responsibilities Form (RM-25) to the Library of Virginia.

## II. Public Records

### **Public Records**

Public records are those that document the transaction of business by SOUTHWEST VIRGINIA COMMUNITY COLLEGE. The format in which the information is presented, as well as the medium on which the information is contained, have no bearing on the determination of whether the record is a public record. (Code of Virginia § 42.1---77)

### **Non-records**

Public records shall not include materials made or acquired and kept solely for reference or exhibition purposes, copies of records kept only for convenience or reference, and stocks of publications. These are considered “non-records.” (Code of Virginia § 42.1---77)

### **Copy of Record**

The “copy of record” shall be construed to mean the “official” copy of a particular public record, with no regard as to whether it is an original, copy, or reformatted version. All work units within SOUTHWEST VIRGINIA COMMUNITY COLLEGE shall work with the designated records officer to establish in writing the ownership of and responsibility for copies of record.

### **Confidential Records**

Public records that are restricted from disclosure by statute, court order, or legally adopted rules and regulations are considered confidential. SOUTHWEST VIRGINIA COMMUNITY COLLEGE records that are deemed confidential are still considered to be public records even though they are not publicly available. SOUTHWEST VIRGINIA COMMUNITY COLLEGE records management procedures will contain references to all applicable regulations and statutes affecting SOUTHWEST VIRGINIA COMMUNITY COLLEGE records.

### III. Roles and Responsibilities

#### **Southwest Virginia Community College President or Designee**

The President of SOUTHWEST VIRGINIA COMMUNITY COLLEGE or his/her designee is responsible for establishing and approving the SOUTHWEST VIRGINIA COMMUNITY COLLEGE records management program and identifying to the Library of Virginia the person to serve as the designated records officer.

#### **Department, Division, or Managers**

The managers of departments, divisions, and/or sections are responsible for ensuring that procedures and programs within their areas of responsibility meet the requirements of SOUTHWEST VIRGINIA COMMUNITY COLLEGE's records management program relative to record identification, generation, control, maintenance, processing, storage, and disposition.

#### **Southwest Virginia Community College---designated Records Officer**

The designated records officer is responsible for the development, implementation, and ongoing coordination of the records management program to meet regulatory requirements.

Responsibilities of the records officer include:

- Developing procedures to implement SOUTHWEST VIRGINIA COMMUNITY COLLEGE's records management program in coordination with the Library of Virginia
- Providing training in records management procedures and practices, including the use of appropriate forms
- Implementing systems to meet program requirements for completeness, legibility, reproducibility, retrievability, distribution, control, security, storage, and disposition of records, regardless of format or media type
- Advising staff members on where to access and how to use Library of Virginia-approved retention schedules
- Coordinating and/or assisting staff in the surveying of records
- Ensuring that essential, archival, and permanent records are identified, properly maintained, protected, and accessible for the length of time cited in an applicable retention schedule
- Maintaining contact and connections with SOUTHWEST VIRGINIA COMMUNITY COLLEGE records coordinators

#### **Records Coordinators**

Records coordinators are responsible for assisting in the design, implementation, and management of SOUTHWEST VIRGINIA COMMUNITY COLLEGE records management program by serving as liaisons between their respective work units and SOUTHWEST VIRGINIA COMMUNITY COLLEGE's designated records officer.

Responsibilities of a records coordinator include:

- Being familiar with SOUTHWEST VIRGINIA COMMUNITY COLLEGE'S internal records management policy
- Developing the unit's records management procedures and practices, consistent with this policy
- Educating staff within the organizational unit in understanding sound record management practices
- Restricting access to confidential records and information
- Coordinating the destruction of records with the records officer as provided in the applicable procedures

#### IV. Records Retention and Disposition Schedules

Records retention and disposition schedules are created and maintained by the Library of Virginia. Retention schedules are approved sets of clearly identified, related records series that dictate the length of time a series must be kept and its required disposition.

All SOUTHWEST VIRGINIA COMMUNITY COLLEGE records must be managed in accordance with the most current Library of Virginia–approved records retention and disposition schedules.

If a new category of records is created, and no applicable series is found on an existing retention schedule, then SOUTHWEST VIRGINIA COMMUNITY COLLEGE’s designated records officer must contact SOUTHWEST VIRGINIA COMMUNITY COLLEGE’s assigned records analyst at the Library of Virginia so that the records may be scheduled.

## V. Electronic Records

SOUTHWEST VIRGINIA COMMUNITY COLLEGE will manage its electronically stored information (ESI) consistent with the Library of Virginia–approved records retention and disposition schedules and any legal obligations that may apply. The retention schedules govern retention of electronic records in the same manner as paper records. Content, not format, drives records retention.

The destruction of electronic records must be documented through submission of the Certificate of Records Destruction (RM-3 Form). (See section VII of this policy.)



## VI. Disposition of Public Records

There are two options for public records disposition: permanent retention or destruction. Use the records retention and disposition schedules to determine whether a series is permanent or when it should be destroyed.

### **Permanent Records**

A public record is considered permanent when it has been determined to have “continuing and enduring value useful to the citizens of the Commonwealth and necessary to the administrative functions of public agencies in the conduct of services and activities mandated by law.” (Code of Virginia § 42.1---77)

Permanent records held by SOUTHWEST VIRGINIA COMMUNITY COLLEGE are identified on a Library of Virginia–approved records retention and disposition schedule as having sufficient informational value to be permanently maintained by the Commonwealth. The retention schedules will identify whether a record must be maintained by SOUTHWEST VIRGINIA COMMUNITY COLLEGE or may be offered to the Archives at the Library of Virginia. Permanent records of SOUTHWEST VIRGINIA COMMUNITY COLLEGE cannot be given away, sold, or loaned to any outside person, organization, or business entity.

SOUTHWEST VIRGINIA COMMUNITY COLLEGE staff or work units in possession of permanent records that may be offered to the Library of Virginia must contact SOUTHWEST VIRGINIA COMMUNITY COLLEGE designated records officer when the records are no longer active. The records officer will contact the Library to begin the transfer process.

### **Non-permanent Records**

All SOUTHWEST VIRGINIA COMMUNITY COLLEGE records that have not been deemed permanent must eventually be destroyed. The records retention and disposition schedules identify when a set of records has reached the end of its usefulness. A retention schedule may also state whether records must be destroyed in a certain manner. Retention schedules constitute a legal timeline for the destruction of records from which SOUTHWEST VIRGINIA COMMUNITY COLLEGE must not deviate unless in the midst of a legal hold. (See section IX of this policy.)

## VII. Destruction of Public Records

All records destruction performed by SOUTHWEST VIRGINIA COMMUNITY COLLEGE must be done in accordance with written procedures and documented on a Certificate of Records Destruction (RM-3 Form). The RM-3 Form is required when destroying public records, in all formats, that are deemed copies of record. The original RM-3 Form must be submitted to the Library of Virginia. SOUTHWEST VIRGINIA COMMUNITY COLLEGE must retain a copy of the RM-3 Form for three (3) years.

SOUTHWEST VIRGINIA COMMUNITY COLLEGE records must be destroyed in the manner identified by the appropriate series on a general or specific records retention and disposition schedule. All SOUTHWEST VIRGINIA COMMUNITY COLLEGE records must be destroyed once the applicable retention period has expired. No records may be maintained past the end of their stated retention unless involved in current litigation, investigation, or audit. (Code of Virginia § 42.1---86.1)

SOUTHWEST VIRGINIA COMMUNITY COLLEGE records may not be destroyed because of lack of space or funding for storage. Do not report the destruction of materials that are not public records, such as copies, personal items, and reference materials on an RM-3 Form.

### **Non-confidential Destruction**

Acceptable methods of destruction for non-confidential SOUTHWEST VIRGINIA COMMUNITY COLLEGE records include trash, recycling, or deletion of electronic records. Destruction must be done in a timely manner, construed by the Library of Virginia to be one (1) year from retention expiration.

### **Confidential Destruction**

Acceptable methods of destruction for confidential SOUTHWEST VIRGINIA COMMUNITY COLLEGE records include cross---cut shredding, pulping, incinerating, physical destruction of electronic storage media, “wiping” of electronic records with appropriate software, and degaussing of magnetic material. Destruction of confidential records containing personally identifying information must be done within six (6) months of retention expiration. (Code of Virginia § 42.1---86.1). Destruction of teaching evaluations should be done five (5) years after the end of the academic year.

## VIII. Storage, Retrieval, and Disaster Recovery

### **Storage**

All SOUTHWEST VIRGINIA COMMUNITY COLLEGE records shall be maintained in such a way that they are identifiable and accessible for the entirety of their assigned retention period.

All SOUTHWEST VIRGINIA COMMUNITY COLLEGE records must be stored in areas with consistent temperatures and humidity levels. Ideal conditions are a temperature maintained in the 65–70° range and humidity maintained at 40% +/- 5%.

All SOUTHWEST VIRGINIA COMMUNITY COLLEGE records must be:

- Protected from fire by the installation of smoke detectors, water sprinklers, and fire extinguishers
- Free of vermin and insects
- Far from water pipes

If records are of a confidential nature, they should be stored in a secure area that is locked and has controlled access for select personnel only. Strict procedures must be in place for retrieval, use, and re-filing of confidential records. Access to confidential records in electronic formats will be limited by assigning appropriate log-in credentials.

### **Retrieval**

All work units must have procedures in place for the retrieval of records, their use, and re-filing.

### **Disaster Recovery**

SOUTHWEST VIRGINIA COMMUNITY COLLEGE will have in place a Records Emergency Action Plan (REAP) that clearly communicates the procedures for records recovery in the event of a natural disaster, fire, or other catastrophic event affecting SOUTHWEST VIRGINIA COMMUNITY COLLEGE.

## IX. Legal Matters, Audits, and Investigations

Any SOUTHWEST VIRGINIA COMMUNITY COLLEGE record that is relevant to pending or anticipated action, i.e., litigation, claim, audit, Southwest Virginia Community College charge, investigation, or enforcement action, shall be retained until final resolution of the matter. In these circumstances, the work unit involved with the ongoing action will notify all other relevant organizational units and work with staff to identify and retain any records (including electronic records) and other information that could be relevant to the matter. This will include a directive that the relevant work unit's normal document destruction procedures be suspended temporarily.

SOUTHWEST VIRGINIA COMMUNITY COLLEGE employees who become aware that an action, investigation, or legal proceeding has commenced or is anticipated against their department or work unit must promptly notify the manager of the affected organizational unit, as well as the Southwest Virginia Community College---designated records officer, so that all records with potential relevance to the investigation or legal proceeding can be retained as necessary. After matter is closed, records should be maintained according to appropriate records series retention and disposition.

## X. Data Privacy

All records created and maintained by SOUTHWEST VIRGINIA COMMUNITY COLLEGE that contain personal or other confidential information must be kept in accordance with the Government Data Collection and Dissemination Practices Act, Code of Virginia § 2.2---3800 et seq. (See section VIII of this policy for information on the storage of and access to confidential records).

# SWCC Records Destruction Procedure

## Revised 07.09.2025

### GENERAL INFORMATION

SWCC employees must perform Records Destruction as needed, based on the Library of Virginia schedule, available here: <https://www.lva.virginia.gov/agencies/records/retention.asp> . Records Destruction must be documented by state law.

What Is a public record? The Virginia Public Records Act defines a public record as:

“...information that documents a transaction or activity by or with any public officer, agency or employee of an agency. Regardless of physical form or characteristic, the recorded information is a public record if it is produced, collected, received or retained in pursuance of law or in connection with the transaction of public business. The medium upon which such information is recorded has no bearing on the determination of whether the recording is a public record.” Code of Virginia § 42.1-77.

Public records, except for those exempt under the Virginia Freedom of Information Act (FOIA), must be available for access throughout their retention periods per Code of Virginia § 2.2-3700 et seq. A record that is considered FOIA-exempt is not exempt from the requirements of the VPRA. Records containing confidential information are still public records.

Employees must complete all required paperwork **prior** to destroying any records.

After eleven (11) days of inactivity at any step in the process, the person in the role at which the process has stalled will receive an email which will contain the same subject line as the initial message preceded by “Reminder:”. If the inactivity occurs the first time the process goes to the Approving Official, the Form Creator will be copied.

On the seventy-fifth (75th) day of inactivity, the person in the role at which the process has stalled, as well as the Form Creator, will receive an email containing the notification that Form ID #FormNum has been removed due to inactivity.

Along with the Completed RM-3 Forms webpage, there is also a dashboard from which In-Progress forms may be monitored.

# SWCC Records Destruction Procedure

## Revised 07.09.2025

### PROCEDURE

To initiate the authorization of records destruction, the SWCC employee will serve as the Form Creator, and must start the process online with the RM-3 form:

<https://www.lva.virginia.gov/agencies/records/rm3/>

- 1) Under Organization Information:
  - a) Click the State Agency or Locality dropdown box and select State Agency
  - b) Click the Agency Name dropdown box and select Community College System, Virginia
  - c) Click the Division/Department dropdown box and select Southwest Virginia Community College
  - d) Click the Designated Records Officer dropdown box and select **Dyan Lester**.
- 2) In the Approving Official freeform fields, enter the name, email address (twice for validation), and title of the person agency/dept/sub-dept who will know whether there is a hold (litigation, audit, FOIA, request, investigation, etc.) in place or be reasonably aware of one forthcoming, that would require the continued retention of these records. This person's approval of the form will affirm that no holds are in place or are reasonably anticipated. The Title field does not accept any type of punctuation mark. **This person is Dyan Lester. See below:**

### Approving Official ?

APPROVING OFFICIAL'S NAME

Dyan Lester

APPROVING OFFICIAL'S TITLE

VP of Finance and Administration

APPROVING OFFICIAL'S E-MAIL

dyan.lester@sw.edu

CONFIRM APPROVING OFFICIAL'S E-MAIL

dyan.lester@sw.edu

- 3) Complete all fields under Organization Address using the agency's mailing address.

### Organization Address

ADDRESS

PO Box 1101

CITY

Richlands

STATE

VA

ZIP

24641

- 4) Under Records to be Destroyed:
  - a) Click Add New Record
  - b) Select the Schedule and Series for the records subject to destruction
  - c) Indicate the records' Begin and End dates - approximate, if needed. Dates may be entered in MM/DD/YY format

## SWCC Records Destruction Procedure

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- d) Select the Volume Unit
    - For paper or other analog records, choose Cubic Feet. Please see attached the Library of Virginia's Volume Equivalency Table for help in estimating the cubic footage.
    - For electronic records, choose an appropriate byte unit
  - e) Type the number that represents the "Volume Amount" of records that will be destroyed, going out no further than two decimal places
  - f) Choose the appropriate Destruction Method
    - For analog records that require confidential destruction, the options are Burned, Pulped, Shredded, and Media Destruction (for audio/video tapes, film, etc.)
    - For series allowing non-confidential destruction, the same options are available, plus Recycled and Trashed.
    - For electronic records that require confidential destruction, the options are Overwritten, Degaussed (for magnetic media), and Physically Destroyed. (destruction of the drive, disc, or other storage media containing the records)
      - The same options are available for non-confidential destruction, plus Delete)
  - g) Optional Location: type brief indication of where the records have been stored
  - h) Click the Add New Record button. Can add up to fifteen (15) series per form. The Form Creator may remove a record entry prior to submitting this form
  - i) Destruction of records in the same series should be entered into a form only once, unless there is a gap in the date ranges or both analog and electronic destruction is being reported for the same series
- 5) Under Form Creator, enter your name, email address (twice for validation), telephone number, and title in the respective fields. The Title field does not accept any type of punctuation mark. **Please note, you may fill out this form on behalf of another person.**

### Form Creator

FORM CREATOR'S NAME	TELEPHONE NUMBER	FORM CREATOR'S TITLE
<input type="text"/>	<input type="text"/>	<input type="text"/>
FORM CREATOR'S E-MAIL	CONFIRM FORM CREATOR'S E-MAIL	
<input type="text"/>	<input type="text"/>	

- 6) Click the "Submit Completed Form" button at the bottom of the form. A web page will thank you for submitting the certificate and ask you to check your inbox for a verification email to proceed. Close the browser.
- 7) Open the verification email that arrives in your inbox.
  - a) Click the Confirm Email button. This will ensure that the Form Creator has access to this email address (a security measure)
  - b) Receive a message in a new browser window that the form has been sent to the Approving Official designated in step 3. Close browser



## SWCC Records Destruction Procedure

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**If the Approving Official (AO) determines that the form contains inaccuracies or record series for which a hold is in place or anticipated:**

- 8) The Form Creator will:
  - a) Receive the email containing the subject Edits Required for RM-3 Form
  - b) Open the message and click the Begin Editing button
  - c) Scroll through the form to identify the flagged fields
    - If a flag appears next to all of the series under Records to be Destroyed, with the text box(es) indicating that all series are subject to a hold, then the Form Creator will:
      - i) Close the browser window and delete the AO email
      - ii) Receive an email in eleven (11) days containing the subject Reminder: Edits Required for RM-3 Form
        - If the hold has been lifted, resume the process
        - If the hold has not been lifted, retain the email
        - If the hold is lifted within the next sixty-four (64) days, return to the Reminder email and complete the process
        - If the hold is not lifted within the next sixty-four days:
          - (a) Delete the email that will arrive containing the subject Form ID Form has been removed due to inactivity
          - (b) Delete the Reminder email, ending the process here
  - d) If the form can be corrected, the Form Creator will:
    - a) Complete the corrections
    - b) Click the Submit Completed Form button at bottom of the form
    - c) Close the browser window that indicates the edits have been sent to the AO
    - d) Delete the AO's Edits Required email
    - e) The process returns to the Approving Official (AO) to affirm records for / withhold records from destruction
- 9) After the Approving Official has affirmed that there are no holds, the form will go through the same process with the Records Officer (RO)
- 10) Following the affirmation of destruction, the Form Creator and the Records Officer will receive an email with the subject, "Records Destruction Form #FormNum has been completed"
  - a) Open the email and click on the "View Completed Form" button
  - b) A browser window will open, displaying the completed form and a Print Form button at the top
  - c) The completed form may be reviewed and printed to paper or pdf, or not at all. The agency will no longer have to keep a copy. All forms completed via this process will be available on the Completed RM-3 Forms webpage