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President and Chief Executive Officer

Subject: Office of General Counsel/Compliance – Records Retention Policy

PURPOSE:

This Records Retention Policy sets forth the policies and procedures of Meharry Medical College (the “College”) for the identification, retention, storage, protection and disposal of College records, including all books, records, agreements, purchase orders, memoranda and correspondence. This Records Retention Policy is intended to ensure that the College’s records management policies adhere to customer, legal and business requirements and are conducted in a cost-efficient manner.

This policy seeks to promote compliance with federal, state, and other legal requirements for record retention; to promote the efficient management, sharing, and transfer of information among authorized College staff within prescribed security standards; to effectively utilize limited office space for active records and utilize low-cost, remote storage space for inactive records; to dispose of records no longer needed to satisfy legal, regulatory or other requirements; to ensure that no record is disposed of unless authorized; to ensure the preservation of records of permanent value; and to ensure that record retention policies, schedules and procedures are reviewed and modified as necessary to respond to changes in technology or regulations.

It is the College’s policy to maintain complete, accurate, and high quality records. Records are to be retained for the period of their immediate use, unless longer retention is necessary for historical reference, contractual, legal or regulatory requirements, or for other purposes as set forth herein. Records that are no longer required, or have satisfied their required periods of retention, shall be destroyed in an appropriate manner.

The College and its employees recognize the importance of maintaining the integrity of its documents in conformity with this Records Retention Policy. In connection therewith, it is the College's policy to maintain its documents as they existed at the time of their creation without any tampering or alteration.

POLICY STATEMENT:

This Records Retention Policy applies to all College records. A College record is

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any documentary material, including documentary material in paper and electronic form that is generated or received by the College in connection with the transaction of its business. A record that includes both business and personal information, such as an appointment calendar, is also a College record. All records that are generated or received by a College employee in the scope of his or her employment belong to the College, not to the individual employee.

This Records Retention Policy applies to all College-affiliated facilities, including, but not limited to, ambulatory surgery centers, clinics and all College Departments, Divisions and Groups for which the College is responsible for business records.

PROCEDURE:

RECORDS RETENTION PERIODS

A. The retention periods established by the College are set forth in the Records Retention Schedule attached to this Records Retention Policy. Retention periods are listed in terms of calendar years plus the current calendar year. The destruction date for records is always December 31 of the last year of retention; e.g., if a record has a retention period of the current year plus three years and the record is dated 2005, the destruction date for the record is December 31, 2008.

B. Upon expiration of the applicable retention period, the record is to be reviewed and destroyed unless extended retention is required (e.g., the record is relevant to outstanding litigation or governmental investigation) or requested in writing, with satisfactory justification, by the head of the department responsible for the record. Such a request shall be directed to the chief legal officer of the College.

C. Whenever contractual records retention requirements exceed the retention periods listed on the Records Retention Schedule, such records will be retained in accordance with the records retention requirements of the contract.

D. In the event of a conflict between the retention periods listed in the Records Retention Schedule and applicable federal, state, or local records retention requirements, applicable federal, state or local records retention requirements will take precedence over the retention periods listed in the Records Retention Schedule.

E. Records relevant to a pending or reasonably anticipated tax audit, legal action, or other official proceeding or investigation are not to be destroyed, even if the retention period for the relevant records expires during the proceeding or investigation.

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Whenever a legal action or other official proceeding or investigation is commenced against the College or any department or official thereof, the College's Department of Legal Affairs shall notify all departments within the College that are likely to possess documents related to the action that they are to suspend all records destruction procedures until the action is resolved.

F. Any College employee who believes the retention period governing any type of records should be changed because of changes in legal, auditing or management requirements, or believes a new item should be added to the Records Retention Schedule, should submit a Request for Modification of Records Retention Schedule to the chief legal officer of the College in the form established by the College's chief legal officer, who will then determine what, if any, changes will be made to the Records Retention Schedule.

RECORDS SCREENING AND PURGING

A. Records are to be screened at least once every year to determine if they are "active records" (i.e., subject to immediate use). The screening process is to be planned and carried out within each Department of the College.

B. Active records are to be stored in the immediate area of the responsible custodian. Records determined to be inactive are to be reviewed for possible off-site storage or for destruction pursuant to this Records Retention Policy.

C. Factors to be considered in the screening process include:

- (1) Need for retention, including required retention periods set forth in the Records Retention Schedule;
- (2) Frequency of reference;
- (3) Nature of reference; and
- (4) Volume of files and available storage space.

D. Duplicate materials are to be eliminated. Whenever possible, the version of the record containing the most conclusive information is the one to be retained. Prior draft versions of records are typically not retained if the final record contains an "integration provision". In general, the retained copy of a record should not contain personal notations, other than the author's signature.

E. Unless otherwise provided in this Records Retention Policy, records that have exceeded their required retention period are to be reviewed and destroyed.

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Records are not to be transferred to off-site storage if the retention period for such records expires within a year of the contemplated transfer.

F. College supervisors are to ensure that the business files of terminating or transferring employees are reviewed concurrently with the employee's departure. Such files are to be reassigned to other employees or purged in accordance with this Records Retention Policy.

G. The Internal Audit Department shall perform an annual audit of each department within the college to determine whether each department is in compliance with this Records Retention Policy.

H. The destruction of records containing protected health information must be in compliance with HIPAA regulations.

RECORDS STORAGE

A. *Records Center Storage*

- (1) The College will maintain a Records Center to store, control, and protect inactive records. The Records Center will be in a safe, secure location and protected from environmental and other potential harm. The College may choose to maintain this Records Center at a location other than a facility operated by the College.
- (2) Records storage containers are to be labeled in sufficient detail to facilitate prompt and accurate content identification by Records Center personnel.
- (3) Records are to be filed by year or specified periods to facilitate their reference, review and/or destruction.

B. *Electronic Storage*

- (1) The records management procedures and records retention periods set forth in this Records Retention Policy are applicable to electronic records. Records generated and maintained in College information systems or equipment (including mainframe, mini, and micro computing/storage systems) are to be reviewed periodically by applicable information owners and/or custodians to ensure that the requirements set forth in this Records Retention Policy are being

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- met for electronic information systems.
- (2) The use of magnetic tape, disc, or similar electronic media for records storage purposes for periods that exceed one year is discouraged. Special packagings, handling and environmentally controlled facilities are required for storage periods exceeding one year. The chief legal officer is to maintain guidelines and advise personnel in accommodating long-term electronic media storage requirements.
 - (3) Records stored in electronic media are to be grouped on single medium (roll of tape, individual disc, etc.) in a fashion to facilitate review and destruction at appropriate intervals.

C. *Film Storage*

- (1) The records management procedures and record retention periods set forth in this Records Retention Policy are applicable to information contained or stored on film media, including microfilm, microfiche, or similar media.
- (2) The use of film for record storage and retention purposes is to be selective to ensure cost effectiveness. The chief legal officer shall develop standard practices to be utilized when reducing information to film to ensure that authenticity is not impaired.
- (3) The use of film media for long-term records retention purposes normally requires special packaging, handling, and environmentally controlled facilities. The chief legal officer is to maintain guidelines for such purposes and advise personnel in their use.
- (4) Records stored in film media are to be grouped on single media (roll of film, single fiche, etc.) in a manner to facilitate review and destruction at appropriate intervals.

RESPONSIBILITIES

A. Chief Legal Officer

The chief legal officer has overall responsibility for developing, implementing and maintaining the College-wide records management process, in accordance with the requirements set forth in this Records Retention Policy, including:

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- (1) Maintaining records retention guidelines, as necessary, for the implementation of this Records Retention Policy;
- (2) Updating the Records Retention Schedule attached to this Records Retention Policy;
- (3) Maintaining the index of Vital Records;
- (4) Determining the applicability and acceptability of records for retention and storage at the Records Center;
- (5) Conducting orientation and training for College personnel involved in the records management process;
- (6) Developing and maintaining the necessary records management form(s);
- (7) Preparing and maintaining inventories of records stored in the Records Center;
- (8) Ensuring that only authorized persons with a need-to-know gain access to records stored in Records Centers; and
- (9) Ensuring that stored records are retained, protected, retrieved, returned to storage, reviewed and destroyed in accordance with the provisions of this Records Retention Policy.

B. *Departments*

Each College department is responsible for assisting in the records management process. Such responsibilities generally include:

- (1) Supporting preparation and maintenance of local records retention schedules;
- (2) Identifying, packaging, documenting and transferring applicable records to the Records Center;
- (3) Retaining only those records for which they have custodial responsibility;
- (4) Requesting retrieval of records from the Records Center when required by their respective functions;
- (5) Returning records to the Records Center within the time period established by the chief legal officer; and
- (6) Reviewing and authorizing destruction of records at the retention expiration date.

C. *Employees*

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All employees are responsible for ensuring that accurate and complete records are identified, retained, stored, protected, and destroyed in accordance with this Records Retention Policy.

D. *Office of Information Technology*

The Office of Information Technology shall have primary responsibility for overseeing the retention of electronic records. As new technologies for document retention are implemented, this Office shall be responsible for ensuring that these new technologies are consistently utilized by the Departments who have access to them.

EXHIBITS:

- A. Records Retention Schedule

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EXHIBIT A

RECORDS RETENTION SCHEDULE

I. ACCOUNTING & INSTITUTIONAL TAX RECORDS

Type of Records	Retention Period
Accounts payable paid invoices	7 years
Accounts receivable invoices	7 years
Annual financial statements	Permanent
Business expense records	7 years
Credit card receipts/statements	7 years
Federal tax returns	Permanent
Garnishment orders	7 years
General Ledger	20 years
Purchase orders/requisitions	7 years
Special reports	7 years
State tax returns	Permanent

II. BANK RECORDS

Type of Records	Retention Period
Bank deposit receipts	7 years
Bank statements/reconciliations	7 years
Cancelled checks (non-payroll)	7 years

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Type of Records	Retention Period
Stop payment orders	7 years

III. PAYROLL & EMPLOYMENT TAX RECORDS

Type of Records	Retention Period
Attendance records	3 years
Canceled checks (payroll)	7 years
Deductions records	7 years
Earnings records	7 years
Exemption certificates	7 years
Notices of changes or adjustments to salary	7 years
Payroll registers	Permanent
Payroll tax returns	Permanent
State unemployment tax records	Permanent
W-2 & W-3 withholding statements	7 years

IV. EMPLOYMENT RECORDS

Type of Records	Retention Period
Employee File (active)	Retain throughout employment
Employee File (terminated)	7 years after date of termination
Employment Contracts	7 years after date of termination
Applicant information (not hired)	1 year

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Type of Records	Retention Period
Employee Benefit File (active/active retiree)	Retain throughout employment/retirement
Employee Benefit File (terminated)	7 years after date of termination
I-9 Files	3 years after date of hire or 1 year after date of termination, whichever is later
Disability Files	7 years after date of termination
Workers Compensation Files	Permanent
Employee handbooks & manuals	Permanent
Employment termination & severance agreements	Permanent
Job descriptions & classifications	7 years

V. UNION RECORDS

Type of Records	Retention Period
Collective Bargaining Agreements	Permanent
Correspondence to & from union representatives (unrelated to grievances & arbitrations)	5 years
Grievance & arbitration documents	10 years
Negotiation notes, proposals & other documents	10 years
Policy manuals	Permanent
Settlement documents	Permanent

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VI. LEGAL RECORDS

Type of Records	Retention Period
Copyright registration	Permanent
General contracts (not employment)	7 years after termination of contract & contract obligations
Incorporation filings, charter, and bylaws	Permanent
Litigation files (except releases and settlement agreements)	3 years after closing file
Patents	Permanent
Records pertaining to potential claims or potential lawsuits for property injuries	5 years after event or 1 year after the youngest potential plaintiff reaches 19 years of age, whichever is later
Real estate contracts & documents	Permanent
Releases, settlement agreements & orders of dismissal	Permanent
Reports and minutes of the Board of Trustees	Permanent
Wills & trusts documents	5 years after final disbursement

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VII. RECORDS OF INTERNAL AUDITS

Audit Reports	Permanent
Audit Work Schedules	3 years
Audit Work Papers	5 years

VIII. MEDICAL RECORDS

Patient medical records	10 years
X-rays	7 years
Office visits	1 year
Lab results	5 years

IX. STUDENT RECORDS

Academic Progress Records	5 years after last enrollment
Admissions Records	5 years if enrolled; 1 year if not enrolled
Advisor File	5 years
Alumni Records	Permanent
Disciplinary Records	10 years after infraction
Fees and Tuition	Permanent
Financial Aid Records	5 years from graduation
Grades and Grade Point Averages; Academic Record	Permanent

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Honors and Awards	10 years
Student Loan Records	3 years after loan repaid in full
Transcripts	Permanent
Transcript Requests	1 year after request

X. FACULTY RECORDS

Tenure or Promotion Files	If action approved, 3 years; if tenure denied, 3 years from end of term appointment
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XI. GIFT MANAGEMENT AND DONOR RELATIONS

Donor Checks	7 years
Donor Files	Permanent
Original Gift Letter Agreements	Permanent
Planned Gifts	Permanent