

ENFIELD PUBLIC SCHOOLS
Enfield, Connecticut

Business/Non-Instructional Operations

3543.31

Office Services/Records and Reports

Electronic Communications Use and Retention

I. Policy

The Board of Education (the “Board”) complies with all state and federal regulations regarding the retention, storage and destruction of electronic information and records. The Superintendent or his/her designee shall be responsible for developing and implementing administrative regulations concerning the retention, storage, and destruction of electronic information and the dissemination of such administrative regulations to all employees.

II. Use of E-Mail and Electronic Communications

The Board of Education provides computers, a computer network, including Internet access and an e-mail system, as well as any electronic devices that access the network such as wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc., (including but not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks cellular telephones, radios, Walkmen, CD players, I-Pads or other tablet computers, walkie-talkies, Blackberries, personal data assistants, I-Phones, Androids and other electronic signaling devices), (referred collectively as “the computer systems”), in order to enhance both the educational opportunities for our students and the business operations of the district.

Electronic messages sent by school officials and employees as part of their work and/or by using the District’s computer network are not private communications and are potentially subject to disclosure. Employees must understand that the Board has reserved the right to conduct monitoring of these computer systems and may do so *despite* the assignment to individual employees of passwords for system security. Any password systems implemented by the District are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. *The system's security aspects, message delete function and personal passwords may be bypassed for monitoring purposes.* Therefore, *employees must be aware that they should not have any expectation of personal privacy in the use of these computer systems.* This provision applies to any and all uses of the District’s computer systems, including any incidental personal use permitted in accordance with the Board’s policy and regulations regarding computer use by employees.

Any retained messages may be retrieved as part of routine monitoring by the Board, an employee investigation or a formal discovery process as part of litigation. Employees should bear in mind that e-mail messages may be retained at different locations within the computer network and that these messages are subject to retrieval. Consequently,

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employees should use discretion when using computers or other electronic technology to send, record or retain electronic communications and information.

III. Retention of Electronically Stored Information

Electronic communications on District computers or electronic communication systems shall be retained only as long as necessary. The same record retention policy that applies to paper records applies to electronically stored information, including e-mail communications. Therefore, like paper records, the content and function of an electronic record, including e-mail communications, determines the retention period for that document. The District will comply with all of the minimum standards set forth in the Municipal Records Retention Schedules, as issued by the Office of the Public Records Administrator for the State of Connecticut.

In addition to the retention guidelines established by the Board and used by school district officials and employees, all school officials and employees have a duty to preserve all records and electronic information, including records and electronic information that might otherwise be deleted or destroyed, that relate to any matter that is currently in litigation or may be anticipated to involve future litigation.

Legal Reference: Connecticut General Statutes

The Freedom of Information Act.
1-15 Application for copies of public records.
1-200 Definitions.
1-210 to 1-213 Access to public records.
1-211 Access to computer stored records.
1-214 Public contracts as part of public records.
1-225 to 1-240 Meetings of public agencies.
7-109 Destruction of documents.
10-15b Access of parent or guardians to student's records.
10-154a Professional communications between teacher or nurse & student.
10-209 Records not to be public.
10-221 Boards of education to prescribe rules.
11-8a Retention, destruction and transfer of documents.
11-8b Transfer or disposal of public records. State Library Board to adopt regulations.
31-48d Employers engaged in electronic monitoring required to give prior notice to employees.
46b-56 (e) Access to Records of Minors.

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Legal Reference: (continued)

Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

General Letters 98-1, 96-2 and 2001-1 of the Public Records Administrator Record Retention Schedules Towns, Municipalities, and Boards of Education.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).

Department of Education. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

Rules 34 and 45 of the Federal Rules of Civil Procedure (2006 Amendments).

Policy Adopted: December 12, 2018