

EHB-R – LOCAL RECORDS RETENTION SCHEDULE

See Board Policy: EHB

Related Policies: EH, EHAB, JRA, and JBJ

The following schedule shall apply to all records obtained, created or maintained by the District, irrespective of the specific medium of the record, i.e., paper, electronic, digital, cloud, etc.

A. Special Education Records

1. Upon a student's graduation from high school, his or her parent(s)/guardian(s) may request in writing that the District destroy the student's special education records, including any final individualized education program.
2. The parent(s)/guardian(s) may, at any time prior to the student's twenty-sixth birthday, request, in writing, that the records be retained until the student's thirtieth birthday.
3. Absent any request by a student's parents to destroy the records prior to the twenty-sixth birthday, or to retain such records until the student's thirtieth birthday, the District shall destroy a student's records and final individualized education program within a reasonable time after the student's twenty-sixth birthday, provided that all such records be destroyed by the student's thirtieth birthday
4. A permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. 34 CFR 300.624.
5. The District shall provide parents/guardians, or where applicable, the adult student, with a written notice of the District's document destruction policies upon the student's graduation with a regular high school diploma or at the transfer of rights, whichever occurs first.
6. The District shall provide public notice of its document destruction policy at least annually.

B. Litigation Hold

On receipt of notice from legal counsel representing the District that a litigation hold is required, the routine destruction of governmental records, including paper and electronic records, which are or may be subject to the litigation hold shall cease. The destruction of records subject to a litigation hold shall not resume until the district has received a written directive from the attorney representing the district authorizing resumption of the routine destruction of those records.

C. Right-to-Know Request - Hold

On receipt of a Right-to-Know law request to inspect or copy governmental records, the Superintendent shall cease any destruction of governmental records which are or may be the subject of the request. The records shall be retained regardless of whether they are subject to disclosure under RSA Chapter 91-A, the Right-to-Know law. If a request for inspection is

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denied on the grounds that the information is exempt, the requested material shall be preserved for no less than 90 days and until any lawsuit pursuant to RSA 91-A:7-8 has been finally resolved, all appeal periods have expired, and a written directive from the attorney

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representing the District authorizing destruction of the records has been received.

D. Electronic Records

For legal purposes, electronic records and communications are no different than paper documents. The state law on preservation of electronic records, RSA 33-A:5-a Electronic Records, does not explicitly apply to school districts, but does provide guidance: "Electronic records as defined in RSA 5:29, VI and designated on the disposition schedule under RSA 33-A:3-a to be retained for more than 10 years shall be transferred to paper or microfilm, or stored in portable document format/archival (PDF/A) on a medium from which it is readily retrievable. Electronic records designated on the disposition schedule to be retained for less than 10 years may be retained solely electronically if so approved by [Superintendent as the party] responsible for the records. The [Superintendent] is responsible for assuring the accessibility of the records for the mandated period." [Italics represent modified language to reflect Superintendent's responsibility for record retention and access.]

E. Retention Period Schedule

The following schedule shall apply to all records obtained, created or maintained by the District, irrespective of the specific medium of the record, i.e., paper, electronic, digital, cloud, etc.

Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Business Records		
Accident Reports - Employee	Term of employment, plus 6 years	
Accident Reports - Student	Age of majority, plus 6 years	
Accounts Receivable	Until audited, plus 1 year	RSA 33-A:3-a
Annual Audit	Permanent	RSA 33-A:3-a (10 years)
Annual Report (District), Warrants, Annual Meeting Minutes, Budgets (District & SAU)	Permanent	RSA 33-A:3-a

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Application for Federal Grants	5 years	20 U.S.C. 1232f., (three years after the completion of the activity for which the funds are used) other authorities may apply
Architectural Plans	Permanent	

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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Asbestos Removal	Permanent	
Bank Deposit Slips	6 years	RSA 33-A:3-a
Bonds and continuation certificates	Permanent	RSA 33-A:3-a (expiration plus 2 years)
Budget Worksheets	End of budget year, plus 1 year	
Cash receipts, disbursement records, checks	Until Audited and at least 6 years after last entry	RSA 33-A:3-a
Child Labor Permits	1 year	
Work-study	3 years from date of enrollment	29 C.F.R. §570.37
Construction Contracts, Capital projects, fixed assets that require accountability after acquired*	Life of contract, building, asset plus 20 years	RSA 33-A:3-a (Life of project/asset)
Engineering Surveys	Permanent	
Unsuccessful bids	Life of contract plus 3 years	RSA 33-A:3-a (Completion of project, plus one year)
Certified Educator	Permanent	
COBRA Notices	6 years from date of issue	42 U.S.C. 300bb-1, <i>et. seq.</i> (3 years) ERISA 29 U.S.C. §1027 (6 years)
Collective Bargaining Agreements	Permanent	
Correspondence for Business transactions*	Life of subject matter plus 4 years	
Correspondence - General	3 years or longer when historic/useful	
Correspondence Transitory	As needed for reference	RSA 33-A:3-a

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Deeds	Permanent	
District Meeting Minutes & Warrant	Permanent	

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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Insurance policies	Permanent	RSA 33-A:3-a
Notes (loan documents)	Until paid, Audited, plus 3 years	RSA 33-A:3-a
Student Activities Records/Accounts	Until Audited, plus 6 years	RSA 33-A:3-a (bank deposit slips and statements 6 years)
Enrollment Reports: Fall Reports A12A (RSA 189:28)	Permanent	
Enrollment Reports: Pupil Registers	Permanent	RSA 189:27-b
Enrollment Reports: Resident Pupil Membership Forms	14 years	
Enrollment Reports: School Opening Reports	3 years	
Enrollment Reports: Statistical Report A-3 (RSA 189:28)	Permanent	
Federal Projects Documents	5 years after submission of final audit report and documentation for expenditures, unless there is an ongoing audit	Review specific project/grant program requirements. 20 U.S.C. 1232f, (three years after the completion of the activity for which the funds are used), other authorities may apply
FICA Reports – monthly	7 years	
Fixed Trip Requests/Confirmation	1 year	
Fixed Assets Schedule	Permanent/as updated	
Form C-2 Unemployment	6 years	

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Wage Report (DES 100)	6 years	
Invoices*	3 years*	Until Audited, plus 1 year

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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
MS-22 Budget Form	6 years	
MS-23 Budget Form	6 years	
MS-25 Budget Form	Permanent	
Minutes of Board Meetings, Board Committees	Permanent	RSA 91-A:2, II, RSA 33-A:3-a
Purchase Orders*	Until Audited, plus 1 year	
Request for Payment Vouchers*	Until Audited, plus 1 year	
Requisitions*	Until Audited, plus 1 year	
Retirement Reports – Monthly	1 year	
Timecards: Bus Drivers	5 years	Lab 803.03. Notification and Records no less than 4 years
Timecards: Custodial	5 years	Lab 803.03. Notification and Records no less than 4 years
Timecards: Secretarial	5 years	Lab 803.03. Notification and Records no less than 4 years
Timecards: Substitute Teachers pay slips	5 years	Lab 803.03. Notification and Records no less than 4 years
Payroll Records	6 years	RSA 33-A:3-a Audited, plus 2 year 29 C.F.R. §1627.3 (3 years) ADEA: 29 U.S.C. §626, 29 CFR Part 1602 (2 years from job action); 29 C.F.R § 825.500 FMLA, 29 U.S.C.§2616, 3 years
Travel Reimbursements*	3 years*	Until Audit, plus 1 year

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Treasurer's Receipts – canceled checks	6 years	
Treasurer's Report	6 years	

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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Vocational Education: AVI Forms	1 year	
Vocational Education: Vocational Center Regional Contracts	20 years	
Vocational Education: Federal Vocational Forms*	6 years	
Vouchers Manifests*	Until Audit, plus 1 year	
Tax Forms: W-2's, 1099 *	7 years	Keep all records of employment taxes for at least four years after filing the 4th quarter for the year. – 26 C.F.R § 31.6001-1 (e)(2)(tax advisors say 7 years)
Tax Forms: W-4 Withholding Exemption Certificate	7 years	Keep all records of employment taxes for at least four years after filing the 4th quarter for the year. – 26 C.F.R § 31.6001-1 (e)(2) (tax advisors say 7 years)
Tax Forms: W-9	7 years	Keep all records of employment taxes for at least four years after filing the 4th quarter for the year. – 26 C.F.R § 31.6001-1 (e)(2) (tax advisors say 7 years)
Tax Forms: 941-E Quarterly Taxes	7 years	Keep all records of employment taxes for at least four years after filing the 4th quarter for the year. – 26 C.F.R § 31.6001-1 (e)(2) (tax advisors say 7 years)
Personnel Records	Term of Employment, plus 50 years	RSA 33-A:3-a. Retirement or termination, plus 50 years
Application for employment - Successful	Term of Employment, plus 50 years	RSA 33-A:3-a Unsuccessful applicants: current year, plus 3 years.

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Attendance Records: Leaves	3 years	Family Medical Leave Act – 3 years
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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Attendance Records: Request for Leaves	1 year	
Class Observation Forms	1 year	
Criminal Record Check: No criminal record	Destroy immediately after review	RSA 189:13-a (Superintendent only)
Criminal Record Check: Criminal record	Destroy within 30 days of receipt	RSA 189:13-a (Superintendent only)
Civil Rights Forms, Discrimination claims, accommodation under ADA, information used for EEO-5 report, EEO-5 report	6 years	29 C.F.R. §1602.40; 42 U.S.C. 12117; 42 U.S.C. § §§ 2000e-8-2000e-12; 42 U.S.C. § 2000ff-6; (final disposition, 2 years, 3 years)
Deferred Compensation plans	7 years	RSA 33-A:3-a
Dues Authorization	Term of Employment, plus 50 years	RSA 33-A:3-a. – Personnel record
Employment test papers with results	One year from date of personnel action	29 C.F.R. §1627.3
Evaluations	Term of Employment, plus 50 years	RSA 33-A:3-a. – Personnel record
HIPPA Documentation	Term of Employment, plus 50 years	RSA 33-A:3-a. – Personnel record HIPPA: 45 C.F.R. §164,316(b) & .530(j) – 6 years. HITECH 42 U.S.C. §17938
Labor-PELRB actions	Permanent	RSA 33-A:3-a
Labor Negotiations	Permanent	RSA 33-A:3-a
Legal Actions - lawsuits	Permanent	RSA 33-A:3-a

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Medical Benefits Application	Term of Employment, plus 50 years	RSA 33-A:3-a. – Personnel record
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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Medical exams, Physical examinations used for personnel action	Term of Employment, plus 50 years	29 C.F.R. §1627.3(One year from date of personnel action) RSA 33-A:3-a. – Personnel record 29 C.F.R. §1910.1020 (term of employment plus 30 years)
Oaths of Office	Permanent	RSA 33-A:3-a Term, plus 3 years
Promotion, demotion, transfer, selection for training, layoff, recall, or discharge	Term of Employment, plus 50 years	29 C.F.R. §1627.3 (1 year from date of action) RSA 33-A:3-a. – Personnel record
Recruitment Documents	One year from date of personnel action	29 C.F.R. §1627.3
Re-employment Letter of Assurance	Term of Employment, plus 50 years	RSA 33-A:3-a. – Personnel record
Retirement application	Term of Employment, plus 50 years	RSA 33-A:3-a. – Personnel record
School Bus Driver Drug Tests – positive results & records of administration of test	5 years	49 C.F.R. §382.401; 49 C.F.R. § 40.333
School Bus Driver Drug tests – negative & cancelled	1 year	49 C.F.R. §382.401
Separation from Employment Form/Letter	Term of Employment, plus 50 years	RSA 33-A:3-a. – Personnel record
Settlement agreements, even if in anticipation of a lawsuit	Permanent	RSA 91-A:4, VI (10 years)
Staff Development Plan	Term of Employment, plus 50 years	Term of Employment, plus 50 years

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Substitute Teacher Lists	7 years	
Student Records:		

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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Applications for Free/Reduced Lunch	6 years	
Assessment Results	Permanent	Ed 306.04 <u>Policy Development</u> , (h) complete and accurate records of students' attendance and scholarship be permanently kept and safely stored in a fire-resistant file, vault, or safe.
Attendance	Permanent	Ed 306.04 <u>Policy Development</u> , (h) complete and accurate records of students' attendance and scholarship be permanently kept and safely stored in a fire-resistant file, vault, or safe.
Disciplinary Records	Term of Enrollment, plus 3 years	
Early Dismissal	1 year	
Emergency Information Form	1 year/as updated	
Grades	Permanent	Ed 306.04 <u>Policy Development</u> , (h) complete and accurate records of students' attendance and scholarship be permanently kept and safely stored in a fire-resistant file, vault, or safe.
Health and Physical Records	Term of Enrollment, plus 3 years	
Immunization Record	Term of Enrollment, plus 3 years	
Log of requests for access to education records	As long as the education record is retained	FERPA 20 U.S.C. §1232g (b)(4)(A)
Medical Reports	Term of Enrollment, plus 3 years	

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Registration Form	Term of Enrollment, plus 3 years	
Student Handbook	1 copy of each edition, Permanent	

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Type of Record	Retention Period	Statute, Rule, or other legal authority <i>If none listed, retention period is a recommendation (see end note)</i>
Transcripts	Permanent	Ed 306.04 <u>Policy Development</u> , (h) complete and accurate records of students' attendance and scholarship be permanently kept and safely stored in a fire-resistant file, vault, or safe.
Internal Records:		
Child Abuse Reports/Allegations	Permanent	
Criminal Investigation	Permanent	
Personnel Investigations	Permanent	
Sexual Harassment	Permanent	
Records Management, transfer to storage or disposal	Permanent	RSA 33-A:3-a (summary report of what category of records, for what range of dates, was put in storage or destroyed)
Vehicle maintenance	Life of vehicle, plus 3 years	RSA 33-A:3-a

* Note regarding records relating to federal funds (items marked with "*"): Before any records related to federal funds are destroyed the requirements of the General Education Provisions Act (GEPA) 20 U.S.C. 1232f shall be observed. Namely, that statute requires that district "shall keep records which fully disclose the amount and disposition by the recipient of [federal] funds, the total cost of the activity for which the funds are used, the share of that cost provided from other sources, and such other records as will facilitate an effective financial or programmatic audit for three years after the completion of the activity for which the funds are used." Therefore, to the extent that the below schedule, or other authorities, suggest that a purchase order, with accompanying documentation, may need to be retained only until the records are audited, plus 1 year, if the purchase is in part or in whole with federal funds the record must be retained for three years after the completion of the activity for which the funds are used, a much longer period of time.

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End Note: Where different retention periods are required or recommended by different sources of legal authority, the longest retention period is listed in the retention period column, but the shorter period is cited in the statute, rule, or other legal authority column with the source of legal authority.

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The recommended retention periods, except where another statute or rule are cited, are based on the New Hampshire requirements for municipalities as set forth in RSA 33-a:3-a where a category of records is listed in that statute which is not addressed in school law, consideration of the civil statutes of limitation in New Hampshire, and the guidance last issued several years ago by the New Hampshire Department of Education.

The retention period is a minimum. Unless destruction is required by law, where governmental records have historical value or other considerations warrant retention, the records may be retained for a longer period or permanently.

Revised: August 21, 2019

Adopted: June 2, 2008 (Amherst)