**BUSINESS OPERATIONS**

**Electronic Records Management 4325**

The ESU will comply with all federal record retention requirements, the Nebraska Records Management Act, and with Schedules 10, 24 and 95 of the Nebraska Secretary of State’s Records Management Division. These requirements apply to both physical and digital records. When permitted by Schedule 10, 24 and Schedule ~~24~~ 95 of the Nebraska Secretary of State’s Office, records will be transferred to durable electronic media for long-term storage.

**Special Rules Related to Electronic Forms of Communication.** Electronically stored information such as e-mail, instant messaging, and other electronic communication are important to the ESU’s overall operation. E-mail and other forms of electronic communication which is subject to retention under the Nebraska Records Management Act may be moved to a storage method other than their original format. Each individual who creates or receives electronic communications that belong to or pertains to the operation of the ESU is responsible for determining whether and in what format those records must be maintained. Duplicate records may be destroyed at any time prior to the approved retention period. Staff members who are uncertain about whether a record should be retained should consult with their immediate supervisor.

**ESU 2 utilizes a variety of platforms:**

* Due to the nature and volume of forms of electronic communication related to the operation of the district, transitory or multiple copies of electronic communication will be retained with metadata intact for 10 days. After this time, the electronically stored information with metadata intact shall be subject to overwriting or deletion, except as otherwise required by state and federal law.
* Only the domain administrator will be able to retrieve electronic communication which has been deleted.

**School-affiliated Social Media Posts.** Communication on school-affiliated social media accounts are considered short-term communications pursuant to the Records Management Act. As such, they will be retained in their original form on the vendor’s system and will not be deleted by the user for at least 10 days. Individuals who are uncertain as to whether a specific social media account is “school-affiliated” should refer to the ESU Director of Technology.

**Special Rules Related to Security Camera Footage.** Video footage from security cameras is generally considered working papers under the Records Management Act. Video footage which captures an event of educational or behavioral significance and contains personally-identifiable information will be maintained by the ESU until information is automatically purged.

**Records Regarding Pending or Threatened Litigation.** When litigation against the ESU or its employees is filed or threatened, all reasonable action to preserve all documents and records that pertain to the issue will be taken. A litigation hold directive will be issued by the administrator or designee. The directive will be given to all persons suspected of having records that may pertain to the potential issues in the litigation. The litigation hold directive overrides any records retention schedule that may otherwise call for the disposition or destruction of the records until the litigation hold has been lifted.

Date of Adoption: 06/18/2018

Date of Review: 06/17/2024

Date of Revision: 06/17/2024