

**MONTGOMERY  
COUNTY  
INTERMEDIATE  
UNIT #23**

SECTION: OPERATIONS

TITLE: EMAIL RETENTION

ADOPTED: June 28, 2017

REVISED:

	<p style="text-align: center;"><b>800.1 EMAIL RETENTION</b></p> <p>The Board supports use of email to facilitate and enhance the communication requirements of the Intermediate Unit. The purpose of this policy is to inform all Intermediate Unit email account holders of the requirements and responsibilities for management and disposition of email. An Intermediate Unit email account holder includes all Intermediate Unit employees and any and all vendors, contractors, and agents operating on behalf of the Intermediate Unit who have been assigned an Intermediate Unit email address.</p> <p>Email is not intended for permanent storage of Intermediate Unit records. A panoply of federal and state laws dictate various record retention requirements. Email is not the mechanism for meeting those requirements. The Intermediate Unit’s email servers are not intended for long-term records retention. An email server refresh is undertaken periodically. Any Intermediate Unit email account holder who has an email that is pertinent to a project or issue needs to properly archive it electronically. Email and computer logs are only kept for the purpose of recovery from severe hardware failure and for network maintenance.</p> <p>It is the responsibility of the individual to properly save and file emails once they are read. It is each individual’s responsibility to save and file emails that they receive that is otherwise required to be retained by law beyond the purge/deletion schedule. If an Intermediate Unit email account holder is uncertain as to whether or not an email should be retained beyond the <i>purge/deletion schedule</i>, the Intermediate Unit account holder should contact their supervisor for clarification. Email the Intermediate Unit account holder needs to save and file for access beyond the <i>email purge/deletion schedule</i> shall be either: (1) saved to some other storage media (that is not the Intermediate Unit email system), (2) printed on paper and filed as appropriate. Emails older than prescribed by the <i>email purge/deletion schedule</i> will be purged/deleted by the Intermediate Unit’s Office of Technology Services via automated processes.</p> <p><b>Email</b> – electronic messages sent or received using the Intermediate Unit’s electronic mail server hardware, software, and stored on the Intermediate Unit’s storage media. Email shall not for any purpose constitute a student records maintenance site.</p> <p><b>Email Archiver</b> - the Intermediate Unit’s server, hardware, software, and storage media that stores and maintains a copy of all of the Intermediate Unit’s email. This system is “read-only” and email may only be deleted/purged from this system by the</p>
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Director of Technology Services or designee according to the schedule set forth in this policy. The Email Archiver shall contain at least the email stored on any Email Backup media and any media related to “Email” as defined above.

**Email Backup** - the Intermediate Unit’s server, hardware, software, and storage media that stores and maintains disaster recovery files for the Intermediate Unit’s email. Email Backup shall be for the purpose of disaster recovery, and not email archiving or email archival retrieval. The Email Archiver shall contain at least the email stored on any Email Backup media.

**Email System** - the Intermediate Unit’s server, hardware, software, and storage media related to email; including Email, Email Archiver, and Email Backup. a system that enables users to compose, electronically transmit, receive and manage text and/or graphic electronic messages and images across local area networks and through gateways connecting other networks. This information consists primarily of messages but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets, and other electronic documents.

**Email Server and Backups** - The Director of Technology Services shall designate a schedule for the deletion/purging of email from the Intermediate Unit’s systems defined in this policy as Email and Email Backup (email purged/deleted from these systems will still be accessible via the Email Archiver).

**Litigation Hold** - a communication ordering that all records and data, including email, relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.

### 3. Guidelines

#### **Email Purge/Deletion Schedule**

The Intermediate Unit utilizes an email archiver that records all email communications originating or received by the district email accounts including internal to internal communications. The archiver's internal policy will retain email for a period of **fifteen (15) months from the receipt date of the email**. Email outside the terms of the policy shall be purged/deleted from the Email Archiver. This shall be an automated process and without prejudice. There should be no expectation that email will be able to be retrieved once it has been purged/deleted from the Email Archiver.

#### ***Exceptions to the Purge/Deletion Schedule –***

1. By specific court order, email meeting the specific criteria of the court order will be maintained in the Email Archiver beyond the Email/Purge Deletion Schedule.
2. When litigation against the Intermediate Unit or its employees is filed or threatened, the law imposes a duty upon the Intermediate Unit to preserve all documents and records that pertain to the issues. As soon as the Executive

<p>4. Delegation of Responsibility</p> <p>24 P.S. Sec.433</p>	<p>Director is made aware of pending or threatened litigation, a litigation hold directive will be issued to the legal custodians. The litigation hold directive overrides any records retention schedule that may have otherwise called for the transfer, disposal or destruction of the relevant documents, until the hold has been cleared by the Executive Director or designee after consultation with the solicitor. Email and computer accounts of separated employees that have been placed on a litigation hold will be maintained by the Director of Technology Services or designee until the hold is released. No Intermediate Unit account holder who has been notified of a litigation hold may alter or delete an electronic record that falls within the scope of that hold. Violation of the hold may subject the individual to disciplinary action, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.</p> <ol style="list-style-type: none"> <li>3. By written order of the Executive Director, email meeting the specific criteria of the Executive Director’s order will be maintained in the Email Archiver beyond the Email/Purge Deletion Schedule (which may be made in response to litigation or other interests of the Intermediate Unit).</li> <li>4. By written order of the Intermediate Unit Board of Directors, email meeting the specific criteria of the order will be maintained in the Email Archiver beyond the Email/Purge Deletion Schedule (which may be made in response to litigation or other interests of the Intermediate Unit).</li> <li>5. There shall be no other exceptions to the Purge/Deletion Schedule beyond those noted in items 1, 2, 3, and 4 above.</li> </ol> <p>Unless subject to any exceptions listed above, employee email accounts will be disabled immediately upon separation or termination from the Intermediate Unit and deleted/purged according to the schedule set forth in this policy.</p> <p>To ensure compliance with this policy, the Intermediate Unit’s Director of Technology Services or designee shall be responsible for the following oversight functions:</p> <ol style="list-style-type: none"> <li>1. Implementing the Email Retention Policy.</li> <li>2. Ensuring that Intermediate Unit account holders are properly educated, understand, and follow the Email Retention Policy’s purpose.</li> <li>3. Ensuring proper storage of electronic documents on network servers and emails.</li> <li>4. Periodically following up with the Intermediate Unit solicitor to ensure proper retention periods are in place.</li> <li>5. Suspending the destruction of electronic documents upon foreseeable litigation.</li> </ol>
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6. Keeping Intermediate Unit administrators, employees and Intermediate Unit email account holders apprised of changes in relation to the Email Retention Policy.

All questions relating to email retention and/or destruction should be directly addressed to the Intermediate Unit's Director of Technology Services.

Review

This policy will be reviewed periodically by the Executive Director or Designee to ensure the policy remains current with the evolving technology structure of the Intermediate Unit.

References:

24 P.S. Sec. 433

Right-to-Know Law – 65 P.S. Sec. 67.101 et seq.