



Policy 4.6: Records Retention and Destruction Policy

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Managing Office: Office of General Counsel

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I. Purpose

Alabama A&M University (AAMU) has an ethical, legal, and operational obligation to preserve institutional records to improve accessibility and help manage records. AAMU has implemented this policy to ensure that records are kept as long as legally and operationally required and that obsolete records are disposed of in a systematic and controlled manner. This policy shall enhance the institution's ability to locate and retrieve records, when required and demonstrate our compliance with the State and Federal regulatory recordkeeping requirements.

II. Definitions

For the purposes of this Policy:

- A. **Records:** All written, typed, printed, or electronic documents, books, papers, and letters, made, created, received or maintained by the institutional employee in carrying out the mandated functions and activities.
- B. **Non-Records:** Documents that are 1) duplicate copies, catalogs, trade journals, and other publications received that require no institutional action; blank stationary, blank forms, or surplus materials, honorary materials, plaques, awards, presentations, certificates, and gifts.
- C. **Retention Period:** The number of years that a record must be maintained by the institution based upon the classification of the record.
- D. **Temporary Record:** The classification of records that must be maintained for the active life of the documents significance and shall be disposed of once all fiscal, legal, and administrative requirements have been met.
- E. **Permanent Record:** The classification of records that must be maintained throughout the existence of the institution.
- F. **Destruction:** The lawful and permissible means by which records can be

destroyed or otherwise disposed of by the institution.

III. Scope

This policy shall apply to all employees, departments, functions, and operations at AAMU.

IV. Policy

- A. AAMU records shall be retained and disposed of in accordance with the provisions as outlined in the Public Universities of Alabama Functional Analysis and Records Disposition Authority (RDA), 2024, edition.
- B. All AAMU records eligible for destruction should be shredded at the end of their retention period.
- C. The University designated recycling/shredder company must guarantee that the records were destroyed and are no longer recognizable. The recycling/shredder company shall maintain a log and present certificate of destruction indicating the types and quantities of records destroyed, the method of destruction, the destruction date, and agree to maintain the confidentiality of the documents it destroys. Any recycling/shredder company handling Protected Health Information (PHI) shall execute a Business Associate Agreement in conformance with the HIPAA privacy laws and regulations in a form satisfactory to the University.
- D. **Litigation Hold:** In the event of any actual or reasonably anticipated litigation, audit, governmental investigation, or similar proceeding (collectively, “litigation”), records and non-records potentially related to the litigation may not be destroyed and must be preserved until the litigation is closed and the retention period has otherwise expired in accordance with the RDA. Accordingly, the destruction and retention period of all records and non-records under this policy potentially related to the litigation will be suspended upon commencement of the litigation, or when litigation is reasonably anticipated, so that appropriate steps can be taken to identify and preserve those records or non-records reasonably related to the litigation (a “litigation hold” or “lit hold”). After the litigation hold is implemented, the prior suspension of the retention period as to any affected records or non-records determined not to be subject to the litigation hold will be lifted, and the retention periods specified herein will apply thereafter. The suspension of destruction and preservation of records and non-records potentially related to litigation as described above shall apply to all records and non-records, regardless of the form in which they are maintained, including without limitation e-mail, documents or files stored on computers, databases, any other electronically stored information, as well as hard copy documents and files. Records for which the legal, fiscal, administrative, and archival requirements have been satisfied may be destroyed in accordance with the recommended minimum record retention period.

V. Procedure

Prior to the destruction of AAMU Records, the following procedure shall be followed:

- A. Consult the Public Universities of Alabama Functional Analysis and Records Disposition Authority (RDA) to determine the classification of the record – Temporary Record and/or Permanent Record
- B. Records classified as permanent records may be eligible for archiving
- C. Records classified as temporary records should be disposed of once all fiscal, legal, and administrative requirements have been satisfied
- D. Complete the Record Destruction Report to secure approval of division Vice President
- E. Dispose of the record in receptacles designated by the University's approved shredding/recycle provider.

VI. Compliance

Failure to comply with this Policy and/or regulations promulgated hereunder will be deemed a violation of University Policy and subject to disciplinary action in accordance with the disciplinary guidelines as outlined in the Faculty or Staff Handbook, whichever one is applicable to the individual.

VII. Revision History

- June 2025 Policy Developed

VIII. Authority: General Counsel

IX. Responsible Office: Office of General Counsel

X. References:

- A. Public Universities of Alabama Functional Analysis & Records Disposition Authority Revision (RDA), 2024 edition