



Roman Catholic Diocese of Syracuse

RECORDS RETENTION POLICY

Introduction

These records retention guidelines have been prepared to assist the diocese and parishes to establish control over routine records and to preserve records of permanent value. The list of records included is lengthy but not definitive. The diocese and parishes may have records of importance not mentioned here.

Purpose

The purpose of this policy is to ensure all necessary records and documents are adequately protected and maintained, as well as to ensure records that are no longer needed or of no value are discarded at an appropriate time. The policy provides guidance in dealing with the records/documents generated in the course of the diocese's operations and maintained by the diocese.

Policy

The Policy establishes minimum retention periods for records. The retention period guidelines are taken from information prepared by the United States Conference of Catholic Bishops (USCCB) and based upon canon law, state and federal statutes and practical diocesan/parish realities. If questions arise regarding record retention issues, please contact the appropriate diocesan office for assistance.

Procedure

Definition of a Record:

A "record/document" is defined as any paper, book, photograph, film, microfilm, electronic record, voice recording or other material, regardless of physical form or characteristics, made or received in connection with the transactions of the diocese's business. This would include original documents as well as reproductions.

Record Retention Schedule:

Records shall be retained for the time period stated in the Record Retention Schedules attached to this policy. If two retention times appear to conflict, select the longer retention time and/or contact the appropriate department head for clarification.

Permanent Records:

Some records are required by law to be permanently retained and are ineligible for destruction.

Claims/Legal Actions and Litigation Holds:

The retention periods set forth in this policy shall not apply to records that may be relevant to a pending claim or litigation of which the diocese or parish has notice. All records relating to a pending claim or litigation of which the diocese or parish has notice are subject to a "litigation hold" and must be retained until the claim/litigation has been resolved, or pursuant to the attached Record Retention Schedule, whichever is longer.

In the event the diocese becomes aware of threatened litigation and/or other legal proceedings involving its records, , the diocese shall preserve such records as are relevant to the threatened litigation and/or other legal proceeding.

The Director of Communications, or his/her designee, shall promptly inform, in writing, the appropriate department and employees necessary to preserve the relevant records of any litigation hold. (See Appendix "A").

A litigation hold directive overrides the usual retention period set forth in this Policy, as well as any records retention schedules that may have otherwise called for the transfer, disposal or destruction of relevant documents, until the litigation hold has been cleared in writing by the Director or his/her designee.

Email and other accounts of employees who are no longer affiliated with the Diocese that have been placed on litigation hold status must be maintained by the Information Systems Department until the litigation hold is released.

No employee who has received a litigation hold directive may alter or delete an electronic record or other record that falls within the scope of such litigation hold. Such employees are required to provide access to or copies of any electronic records that they have downloaded and saved, or moved to some other storage account or device.

Storing, Archiving and Destruction of Records:

All records must be stored in a reasonably secure manner to prevent unauthorized access, use or disclosure. All records must be maintained in a safe location. Records must be stored in a manner that will provide protection from potential damage due to fire, flood, heat, cold, spillage, etc. In general, records must be stored within a ventilated building, sufficiently high off the floor, and maintained at appropriate temperatures. In addition they must be protected from potential defacements so that a record is readable when it is accessed.

The records may be retained at a designated on-site location or at the Diocese's off-site storage location. All records sent to such location must be properly boxed and labeled to ensure proper storage. The label should include description of box content, parish name (if applicable) and destruction date. The off-site vendor will maintain the records until they receive written permission from the Diocese to destroy the record. All records destroyed by the vendor will be shredded in a manner consistent with industry standards. Any records maintained on-site should be properly destroyed by the Diocese upon expiration of the minimum retention period, as set forth in the attached Record Retention Schedule and in accordance with this Policy. All confidential records, including without limitation Protected Health Information as defined by 45 CFR § 160.103, which are scheduled for destruction should be shredded in a manner consistent with industry standards, to ensure no records may be accessed, used or disclosed by unauthorized parties and cannot be reconstructed.

Electronic Documents:

Electronic documents shall be retained in accordance with the time frames set forth in the attached Record Retention Schedule. If no physical copy of an electronic document is retained in addition to the electronic document, the means to read the electronic document must also be retained. In the event that an email communication contains, in the message or in an attachment, a record that would be subject to this Policy if it were contained in a traditional record, the employee(s) who created or received such email(s) and/or attachment(s) shall ensure that the email(s) and/or attachment(s) be either: (i) converted to Tagged Image File Format (tiff) and stored electronically; or (ii) printed and stored as a traditional record, as soon as possible, but no later than three (3) months of receipt. Failure to properly maintain electronic records may expose the Diocese and applicable employees to liability. Backup and recovery methods for electronic records will be tested to assess the reliability of the system by the Information Technology Department on a regular basis pursuant to the IT Department's customary policies and procedures.

Policy Reviewed and Approved by:

Rev. Msgr. Timothy S. Elmer

Timothy S. Elmer

[Print name]

Title: Vicar General

Date: March 1, 2016

RECORDS RETENTION SCHEDULES

Records retention schedules represent the period of time that records must be kept according to legal and/or organizational requirements.

This policy covers retention schedules for a variety of diocesan/parish operational groups including:

- Administrative
- Personnel
- Financial
- Property
- Cemetery
- Publications
- Sacramental

Within each group are various retention periods depending upon the nature of the records. Records older than the retention period should be destroyed. Those of permanent value should be stored appropriately.

The majority of types of records that the diocese or parishes produce are included in this list. If a particular record is not identified in these guidelines, locate a similar type of record and apply that retention period.

ADMINISTRATIVE RECORDS

These records are defined as those produced and received in the course of the management of the affairs of the diocese/parish.

Records Type	Retention Period
Abstracts, deeds (property)	Permanent
Annual reports to Chancery (<i>Status Animarum</i>)	Permanent
Annual reports to the diocese/parish	Permanent
Articles of incorporation and bylaws	Permanent
Bequest and estate papers (<i>wills</i>)	Permanent
Census records	Permanent

Records Type	Retention Period
Contracts, inactive	7 years after end of contract
Correspondence, legal	Permanent
Correspondence, official (<i>regarding diocesan / parish policies, diocesan / parish directives, etc.</i>)	Permanent
Correspondence, routine	Review/discard biannually
Donor lists	Permanent
Endowment decrees	Permanent
Finance Committee minutes	Permanent
Historical file (<i>newspaper clippings, photos, etc., related to diocese/parish</i>)	Permanent
Insurance policies	Permanent
Inventories of property and equipment	Permanent
Leases	Destroy 7 years after expiration
Liturgical minister's schedules (<i>altar servers, ushers, lectors, etc.</i>)	Retain until superseded
Mass intention books	2 years
Office files, subject	Selective retention: retain those that document diocesan/parish administration and activities
Parish council constitutions	Retain until superseded
Parish council minutes	Permanent
Diocese/parish organization records (<i>minutes, correspondence, publications, etc.</i>)	Permanent
Photographs (<i>relating to diocesan/parish history, clergy, parishioners</i>)	Permanent
Policy statements	Permanent

Records Type	Retention Period
Religious education reports (<i>for the diocesan offices</i>)	Permanent
Rosters of parishioners	Permanent
Subject files (<i>correspondence, memos, rules, schedules, etc.</i>)	Annual review; destroy superseded files biannually
Wills, testaments, codicils	Permanent

PERSONNEL RECORDS (LAY EMPLOYEES)

A personnel file should be maintained for each active diocesan/parish employee. That file should contain the following:

- Employee application
- Resume
- Eligibility verification form (I-9)
- Salary information
- Sick leave taken and accrued
- Vacation record
- Performance evaluations
- W-4 form

These records are ***confidential*** and should be made available only to diocesan/parish representatives with a legitimate right to know, unless their disclosure is compelled by some legal action.

Records Type	Retention Period
Benefits	
Disability records	Permanent
Pension vesting files	Permanent
Retirement benefits	Permanent
Service records	Permanent

Records Type**Retention Period****General**

Permanent earnings and records	7 years after benefit termination
Attendance records	7 years after termination
Employee contracts	7 years after termination
Employee salary schedules	7 years after termination

Health and Safety

Accident/injury reports	7 years
Employee medical complaints	7 years
Employee medical records	30 years from termination
Environmental test records/reports	Permanent
Hazardous exposure records	Permanent
Toxic substance explore reports	Permanent
Workers' compensation records/ Records and reports of employment Related injury or illness	18 years after injury (filing), death or last compensation payment

Lay Personnel Actions

Applications rejected/ Records relating to refusal to hire (including job application and resumes)	1 year after date of submission or decision
Employee evaluations	2 years after termination
Personnel files, terminated	10 years after termination of employment
Termination records	7 years

Records Type**Retention Period****Salary Administration**

W-2 forms	7 years from time of filing
W-4 forms	7 years from date of filing
Time cards	3 years from date of filing
Time sheets	3 years from date of filing
I-9 form	7 years after termination

FINANCIAL AND ACCOUNTING RECORDS**Records Type****Retention Period****FINANCIAL*****Banking***

Bank deposits	7 years
Bank statements	7 years
Cancelled checks	7 years
Check registers/stubs	7 years

Records Type**Retention Period*****General***

Audit reports	Permanent
Balance sheets, annual	Permanent
Balance sheets, monthly/quarterly	Destroy after 1 year
Budgets, approved, revised	7 years
Financial reports, annual	Permanent
Financial reports, monthly	Destroy after 1 year
Financial statements	Permanent

Records Type	Retention Period
---------------------	-------------------------

Investment/Insurance

Bonds, cancelled	7 years from date of cancellation
Certificates of deposit, cancelled	3 years after redemption
Insurance policies/active	Permanent
Insurance policies/cancelled	Permanent
Letters of credit	7 years
Mortgage records	Permanent
Securities sales	7 years
Stock investment	7 years after sale

ACCOUNTING

Records Type	Retention Period
---------------------	-------------------------

Accounts payable invoices	7 years
Accounts payable ledgers	7 years
Accounts receivable ledgers	7 years
Credit card statements/charge slips	7 years
Invoices and paid bills, major building construction	Permanent
Invoices and paid bills, general accounts	7 years
Cash books	7 years
Cash journals	7 years
Cash journal, receipts on offerings and pledges	7 years
Receipts	7 years
Mortgage payments	7 years

Records Type**Retention Period*****Other Records***

General ledger/annual	Permanent
Journals, general and specific funds	Permanent
Journal entry sheets	7 years
Ledgers, subsidiary	7 years
Payroll journals	7 years
Payroll registers, summary schedule of earnings, deductions and accrued leave	7 years
Pension records	Permanent
Pledge registers/ledgers	7 years
Permanently restricted gift documents	Permanent
Temporarily restricted gift documents	7 years after meeting restrictions

Tax Records**Records Type****Retention Period**

Employment taxes, contributions, and payments, including taxes withheld, FICA	7 years from date of filing
W-2 forms	7 years from date of filing
W-4 forms	7 years from date of filing
IRS exemption determination letters for organizations other than those listed in <i>The Official Catholic Directory</i>	Permanent
Form 990	Permanent
State tax exemption certificates (<i>income, excise, property, sales/use, etc.</i>)	Permanent

PROPERTY RECORDS

Records Type	Retention Period
Architectural records, blueprints, building designs, and specifications	Permanent
Architectural drawings	Permanent
Deeds files	Permanent
Mortgage documents	Permanent
Property appraisals	Permanent
Real estate surveys/plots, plans	Permanent
Title search papers and certificates	Permanent

CEMETERY RECORDS

Records Type	Retention Period
Account cards (<i>record of lot ownership and payments</i>)	Permanent
Annual report	Permanent
Bank statements	7 years
Board minutes	Permanent
Burial cards (<i>record of interred's name, date of burial, etc., alphabetically</i>)	Permanent
Burial record (<i>record of interred's name, date of burial, etc.</i>)	Permanent
Contracts documenting lot ownership	Permanent

Records Type	Retention Period
Correspondence	Selective retention: keep if item has historical, legal, fiscal value
General ledger	Permanent
Lot maps	Permanent

PUBLICATIONS

Records Type	Retention Period
Anniversary books	Permanent
Annual reports to the diocese/parish	Permanent
Newsletters of the diocese/parish or affiliated organizations	Permanent
Other diocese/parish-related publications	Permanent
Parish bulletins	Permanent

SACRAMENTAL RECORDS

Records Type	Retention Period
Baptism register	Permanent
Confirmation register	Permanent
First Communion register	Permanent
Death register	Permanent
Marriage register	Permanent
Marriage case files	Permanent

APPENDIX A – Litigation Hold

Confidential Communication re: Pending Litigation

MEMORANDUM

TO: [IT Department, specific affected employees, potential witnesses, and/or third-party data storage vendor]
FROM: [Company Point of Contact]
DATE:
SUBJECT: COURT-MANDATED PRESERVATION OF COMPUTER AND/OR ELECTRONIC DATA AS EVIDENCE IN A PENDING CASE INVOLVING [NAME OF DIOCESE, PARISH, PERSONNEL]

Please be advised that [NAME OF DIOCESE] requires your assistance in preserving relevant information related to the legal action titled [NAME OF LAWSUIT]. This directive contains instructions regarding the preservation of electronic data or information that supersedes the existing document retention/destruction policy.

In particular, we need to preserve all electronic data which may be discoverable or otherwise used as evidence in the pending court case. This information includes documents, spreadsheets, electronic mail, e-mail folders and other data that exists in electronic form, whether in storage, archived in the system or on portable storage devices, or otherwise maintained on individual computer hard drives.

We are legally required to take reasonable steps to preserve this data. Any failure by you to abide by these instructions may subject the diocese to legal sanctions that are monetary in nature or designed to otherwise weaken the diocese's legal position at trial.

A. Employees/Departments Involved:

The computer systems, electronic mail, removable electronic storage devices, of the following employees, lay personnel or parishes are subject to this directive: [Name all whose information must be preserved. This list should be carefully developed with counsel based on the likely access to and location of electronic data relating to the list of litigation topics/subject matter indicated below].

- 1.
- 2.
- 3.

If any person who receives this Memorandum believes that there are other persons not identified who you believe may have relevant documents or data that pertain to the subject matter of this legal action, please provide that individual with a copy of this Memorandum and notify the author of this Memorandum immediately.

B. Time Period Involved:

All destruction, deletion, overwriting or other modification of any type of electronic information or communications including but not limited to electronic mail, individual calendar or contact data, stored document or data files, , offline storage, back up storage, information stored on laptops or other portable electronic devices and network access information shall be immediately suspended for information created within [IDENTIFY TIME PERIOD OF PRESERVATION].

C. Specific Instructions:

The following instructions shall apply to the recipients of this Memorandum and the employees listed in Section "A":

1. You will create safeguards against the destruction of relevant hard copy and electronic documents including backing up hard drives on individual PCs.
2. For any programs such as *Outlook* that automatically deletes electronic data after a certain period of time, or based on some other self-executing criteria, you need to suspend that function, or otherwise takes measures to search and/or preserve e-mails and/or data that meet one or more of the relevance criteria listed below.
3. You will take every other reasonable action to preserve electronic information until further written notice from the Point of Contact (POC") listed below.
4. IT staff will consult with the POC regarding preservation of any system back-up tapes, and whether the existing policy regarding storage/overwriting of back-up tapes should be modified.
5. All recipients of this Memorandum will report to the POC regarding measures taken to comply with these directives.
6. All doubts over whether a particular communication or piece of data falls within the scope of these directives should be exercised in favor of preservation of that information.

[List any other specific instructions that apply]

D. Relevance Criteria:

The following topics identify potential subject matter that may be the subject of discovery in the pending lawsuit. Any information, documents, communications or data relating to these topics should be preserved according to the directives contained in this Memorandum.

- 1.
- 2.
- 3.

E. Point of Contact:

Any questions regarding compliance with, or interpretation of, this Memorandum should be directed to [DESIGNATED CONTACT] at [TELEPHONE NUMBER] immediately.