

Charleston School of Law Document Retention and Destruction Policy¹

PURPOSE

Charleston School of Law (“Charleston Law”) has established this record retention and destruction policy to ensure that campus records are properly maintained and available in accordance with applicable legal requirements, to minimize the cost of record retention, and to ensure that outdated campus records are destroyed. This policy supersedes all prior policies relating to record retention and destruction.

COVERED PERSONS

All Charleston Law employees responsible for the creation, maintenance, storage or destruction of campus records, in any format, at any Charleston Law location.

ISSUING DEPARTMENT

Office of the Dean

DEFINITIONS

For purposes of this Policy, the following terms are defined as follows:

Personal Information: Records that include an individual’s name; the name of the individual's parent or other family members; the address of the individual or individual's family; a personal identifier, such as the individual's social security number, individual number, or biometric record; other indirect identifiers, such as the individual's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific individual that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the individual with reasonable certainty.

Record: The original or copy of any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, or microfiche, which is located at a Charleston Law location.

¹ Effective June 2025.

POLICY

All covered persons are responsible for retaining, maintaining, and disposing of individual records in accordance with this Policy. Any employee determined to be deliberately acting in a manner inconsistent with this Policy may be subject to discipline, up to and including termination.

Record Retention

Determinations regarding the retention of individual records should be made in accordance with the *Record Retention Schedule*, set out below, which identifies the minimum retention periods for various categories of records, including admissions records, academic records, and financial aid records, among others. Questions regarding the retention period for any specific record or class of records not included in the *Schedule* below should be addressed to the Office of the Dean or the Office of the General Counsel.

Record Maintenance

As a general matter, all records should be stored in a location that can reasonably assure their proper security, protection, and accessibility. The following records, however, must be securely maintained **in a fire proof location**, such as a fire proof cabinet or a room with sprinklers, and generally protected against damage or loss (*e.g.*, fire, water, theft, tampering, etc.):

- (1) For currently enrolled students, all educational records (including all admissions, academic, and financial records, and any information upon which an individual's enrollment is based);
- (2) For former students, official transcripts.

Record Disposal

Campus records that have aged beyond the applicable record retention period set out below should be destroyed using a method that preserves the confidentiality of the information, and in accordance with the following guidelines:

1. Non-confidential paper records that do not contain Personal Information should be recycled.

2. For records that contain Personal Information:

- a. Records must be redacted, burned, pulverized or shredded so that Personal Information cannot practicably be read or reconstructed;
- b. Electronic Records and other non-paper media containing Personal Information shall be destroyed or erased so that Personal Information cannot practicably be read or reconstructed. Contact the Office of Information Technology to ensure that electronic media are destroyed appropriately.

This disposal policy is intended to govern the ongoing, day-to-day disposal of records. If any individual or campus is contemplating the mass disposal of records (*e.g.*, in connection with a campus relocation), the disposal process should be coordinated with and through the Office of the Dean.

Finally, in some instances, it may be appropriate to destroy all hard copy versions of a record where an electronic version of the record is being securely maintained by [Institution] (*e.g.*, transcripts for individuals having graduated in recent years). However, prior to disposing of all hard copy versions of a record or class of records, the individual managing the record must confirm with Vic Silvis, Senior Director of Business Operations, that an electronic version of the record or class of records is, indeed, securely maintained by Charleston Law.

CONTACT

Questions regarding this Policy may be directed to the Office of Business Operation via phone at 843-377-2430 or via email at vsilvis@charlestonlaw.edu.

Record	Minimum Retention Period	Citation
Business Documentation		
Articles of Incorporation, Bylaws, Corporate Seal	Permanent	This retention period has evolved over time and represents an industry best practice that does not originate in state or federal law (hereinafter “Best practice”).
Annual corporate filings and reports to secretary of state and attorney general	Permanent	Best practice
Board policies, resolutions, meeting minutes, and committee meeting minutes	Permanent	Best practice
Contracts	Permanent, if current (7 years, if expired)	Best practice
Construction documents	Permanent	Best practice
Emails (business related)	3 years	Best practice
Fixed Asset Records	Permanent	Best practice
IRS Form 1023	Permanent	Best practice
IRS Determination Letter	Permanent	Best practice
Sales and purchase records	3 years	Best practice
State sales tax exemption documents	Permanent	Best practice
Resolutions	Permanent	Best practice
Accounting Documentation		
Accounts payable and receivable ledgers and schedules	7 years	Best practice

Record	Minimum Retention Period	Citation
Annual audit reports and financial statements	Permanent	Best practice
Annual plans and budgets	2 years	Best practice
Bank statements, cancelled checks, deposit slips	7 years	Best practice
Business expense records	7 years	Best practice
Cash receipts	3 years	Best practice
Check registers	Permanent	Best practice
Electronic fund transfer documents	7 years	Best practice
Employee expense reports	7 years	Best practice
General ledgers	Permanent	Best practice
Journal entries	7 years	Best practice
Invoices	7 years	Best practice
Petty cash vouchers	3 years	Best practice
Tax Records		
Annual tax filing for the organization (IRS Form 990)	7 years	IRS requirement
Filings of fees paid to professionals (IRS Form 1099)	7 years	IRS requirement
Payroll tax withholdings	4 years	IRS requirement
Earnings records	7 years	Best practice
Payroll tax returns	4 years	IRS requirement

Record	Minimum Retention Period	Citation
Academic Records		
<p>Admissions records for applicants who enrolled</p> <p>Records may include, but are not limited to, the following: acceptance letters, advanced placement records, applications for admission, entrance exam reports, letters of recommendation, medical records, readmission forms, recruitment materials, test scores, transcripts from other colleges, transcripts from high school, military documents, international student documents, and related correspondence.</p>	<p>During the student's enrollment + 3 years after the student's graduation, withdrawal, or termination date</p>	<p>Best practice</p>
<p>Admissions records for applicants who did not enroll</p> <p>Records may include, but are not limited to, the following: acceptance letters, advanced placement records, applications for admission, entrance exam reports, letters of recommendation, medical records, readmission forms, recruitment materials, test scores, transcripts from other colleges, transcripts from high school, military documents, international student documents, and related correspondence.</p>	<p>3 years</p>	<p>Best practice</p>

Copies of Individual Written Plans Required by Criterion I.A.4(b) of the Criteria for Accepting Credit for Student Study at a Foreign Institution.	Three years	Best practice
Course catalog	Permanent	Best practice

Record	Minimum Retention Period	Citation
<p>Curriculum/Syllabus Records</p> <p>These records consist of, but are not limited to, course descriptions, outlines, syllabi, bibliographies, etc. for each course offered.</p>	5 years	Best practice
Annual Course List	3 years	Best practice
Student Tests and Examinations	1 year	Best practice
Student Evaluations of Teachers	5 years	Best practice
<p>Course materials</p> <p>These records contain materials used in the teaching of courses. They may include, but are not limited to, lecture notes, lesson plans, sample tests, hand-out materials, subject related publications and articles, correspondence related to course, copies of syllabi, permission to reprint, etc.</p>	1 year	Best practice

<p>Grade roll records</p> <p>These records contain the name, student number and grade earned by students enrolled in courses. The original record (which is considered the official record) is transmitted to the Registrar's Office to be entered onto the student's official transcript.</p>	Permanent	Best practice
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Record	Minimum Retention Period	Citation
<p>Grade books</p> <p>The grades recorded during the semester are used to compute the final grade of the student. May also serve as backup to the official academic record held by the Registrar's Office, when a dispute arises regarding a grade given by faculty. Records maintained in alternate formats such as computer spreadsheets must follow the same retention.</p>	1 year after course completion	Best practice
Documentation of Withdrawal from Academic Programs	3 years after the student's withdrawal	Best practice
<p>Graduation records</p> <p>Records maintained include, but are not limited to, graduation statistics, list of graduates, commencement programs, graduation function information sent to students and parents, and correspondence to commencement speakers, etc.</p>	3 years	Best practice

<p>Class lists</p> <p>Records related to the class roster of each course within a program of instruction.</p>	<p>1 year</p>	<p>Best practice</p>
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Record	Minimum Retention Period	Citation
<p>Career services and Academic Advisement Records</p> <p>Records related to career services provided to students, including advising records, exit interviews, and student surveys.</p>	During the student's enrollment + 3 years after the student's graduation, withdrawal, or termination date	Best practice
<p>Academic Records</p> <p>Note: these records must be kept in a fireproof location</p>	Permanent	Best practice
Transcripts for all current and formerly enrolled students (including graduates and terminated or withdrawn students).	Permanent	Best practice
Student Transcript Requests	1 year	Best practice
Records of each graduate's initial employment	10 years post-graduation	Best practice
Written student complaints	10 years after closure of complaint	Best practice
Student Disability Records	During the student's enrollment + 3 years after the student's graduation, withdrawal, or termination date	Best practice
Information upon which granting of admission is based	During the student's enrollment + 3 years after the student's graduation, withdrawal, or termination date.	Best practice
Information upon which denial of admission is based	5 years	Best practice

Record	Minimum Retention Period	Citation
Student Internships and Practicums Records – Documentation of Field Experience	During the student’s enrollment + 3 years after the student’s graduation, withdrawal, or termination date.	Best practice
<p>Financial records</p> <p>Financial records include, but are not limited to, the following: ledger cards, other records of student payments, and refund calculations.</p> <p>Note: these records must be kept in a fireproof location</p>	During the student’s enrollment + 3 years after the student’s graduation, withdrawal, or termination date.	Best practice
Financial Aid		
Direct Loans and FFEL: records related to borrower’s eligibility and participation	<p>3 years after the end of the award year in which the student last attended.</p> <p>Note: all other direct loans and FFEL reports or forms are to be retained for 3 years from the end of the award year in which the report was submitted.</p>	FSA Handbook
Perkins Loan repayment records	3 years from the date that the loan was assigned to the Department of Education, cancelled, or repaid.	FSA Handbook
<p>Admission Records</p> <p>Conditional Scholarship Letters</p> <p>Record of Student Default Rates</p>	3 Years	

Pell and TEACH grants, Campus-Based Program records	3 years from the end of the award year for which the aid was awarded	FSA Handbook
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Record	Minimum Retention Period	Citation
Fiscal Operations Report (FISAP) and supporting records	3 years from the end of the award year in which the report was submitted	FSA Handbook
Perkins' repayment records	Until loan is satisfied or until the documents are no longer needed to enforce the obligation	FSA Handbook
Perkins original promissory notes	3 years from the date the loan is assigned to the Department of Education, cancelled, or repaid	FSA Handbook
<p>Annual security report and all supporting records used in compiling the report</p> <p>Copies of crime reports; daily crime logs; records for arrests and referrals for disciplinary action; timely warning and emergency notification reports; documentation, such as letters to and from local police having to do with Clery Act compliance; letters to and from campus security authorities; correspondence with the U.S. Department of Education regarding Clery Act compliance; and copies of notices to students and employees about the availability of the annual security report.</p>	7 years	Clery Act; 34 CFR Part 668

IPEDS Reports	Permanent	Best practice
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Record	Minimum Retention Period	Citation
Accreditation Documents		
Accreditation Documentation, including a copy of all substantive correspondence between the institution and the accreditor to include, but not limited to, (a) all letters related to accreditation, reaffirmation of accreditation, substantive changes, and official actions of the accreditor; (b) copies of self-evaluation reports; (c) copies of site visit and other team reports; (d) copies of responses to team reports; (e) copies of all substantive change applications and accreditor substantive change decisions; and (f) copies of all annual reports.	10 years	Best practice
Underlying records and documents necessary to complete the Council's Annual Questionnaire, Bar Admission Questionnaire, and Employment Questionnaire.	5 years	
Legal and Insurance Records		
Appraisals	Permanent	Best practice
Copyright registrations	Permanent	Best practice
Insurance claims/applications	Permanent	Best practice

Insurance disbursements and denials	Permanent	Best practice
Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers' Compensation)	Permanent	Best practice
Leases	6 years after expiration	Best practice
Patents, patent applications, supporting documents	Permanent	Best practice
Real estate documents (including loan and mortgage contracts, deeds)	Permanent	Best practice

Record	Minimum Retention Period	Citation
Stock and bond records	Permanent	Best practice
Trademark registrations, evidence of use documents	Permanent	Best practice
Warranties	Duration of warranty + 7 years	Best practice
Marketing Materials		
Advertising, sales, and enrollment materials Materials include, but are not limited to, the following: direct mail pieces, brochures, printed literature, films, leaflets, handbills, fliers, video and audiotapes disseminated through the broadcast media, materials disseminated through the print media or Internet, and sales and recruitment manuals used to instruct sales personnel.	5 years	Best practice
Human Resources Records		

Collective bargaining agreements	3 years	29 C.F.R. § 516.5(b)
Donor records and acknowledgement letters	7 years	Best practice; <i>see also</i> 26 CFR § 1.170A-13
EEO-1 Reports (Employer Information Report)	Most recent annual report kept on file for one year	29 C.F.R. § 1602.7 (Title VII of the Civil Rights Act of 1964 (Title VII); ADA; and Genetic Information Nondiscrimination Act of 2008 (GINA))

Record	Minimum Retention Period	Citation
<p>Personnel records, including job applications</p> <p>Personnel records include each employee's application, resume, wage and salary history, job history, job evaluations, disciplines, benefit plan elections, tax forms, and similar data.</p>	5 years after last day of employment	29 C.F.R. § 1627.3(b)(1) (ADA; Title VII; Age Discrimination in Employment Act of 1967 (ADEA); and GINA); 28 U.S.C. Section 1658(a); Jones v. R.R. Donnelly & Sons Co., 541 U.S. 369, 124 S. Ct. 1836 (2004).
Employee benefit plans subject to ERISA (includes plans regarding health and dental insurance, 401K, long-term disability, and Form 5500)	6 years from when the record was required to be disclosed	29 U.S.C. § 1027
Employee offer letters (and other documentation regarding hiring, promotion, demotion, transfer, lay-off, termination or selection for training)	1 year from date of making record or action involved, whichever is later, or 1 year from date of involuntary termination	29 C.F.R. § 1602.14
Records relating to background checks on employees	5 years from when the background check is conducted	15 U.S.C. § 1681p
Employment contracts; employment and termination agreements	3 years from their last effective date	29 C.F.R. § 516.5(b)
Employee records with information on pay rate or weekly compensation	3 years	29 C.F.R. § 1627.3(a)
Hazardous material exposures	Duration of employment + 30 years	29 C.F.R § 1910.1020(d) (Occupational Safety and Health Act (OSHA))
I-9 Forms	3 years after date of hire or 1 year after employment is terminated, whichever is later	8 U.S.C. § 1324a(b)(3); 8 C.F.R. § 274a.2(b)(2); see also Standard Document, Employment Eligibility Verification Compliance Policy

Record	Minimum Retention Period	Citation
Injury and Illness Incident Reports (OSHA Form 301) and related Annual Summaries (OSHA Form 300A); Logs of work-related injuries and illnesses (OSHA Form 300)	5 years following the end of the calendar year that these records cover	29 C.F.R. § 1904.33
Supplemental record for each occupational injury or illness (OSHA Form 101); Log and Summary of Occupational Injuries and Illnesses (OSHA Form 200)	5 years following the year to which they relate	29 C.F.R. § 1904.44
Records relevant to pending charge or lawsuit	Until final disposition of the charge or any lawsuit based on the charge. Either the date when the charging party can no longer sue (typically 91 days after receipt of notice to sue) or the date on which litigation is terminated, including any appeals.	Best practice
Job descriptions, performance goals and reviews; garnishment records	Termination + 7 years	Best practice; <i>see also</i> 29 C.F.R. § 1620.32
Employee polygraph test records	3 years	29 U.S.C. § 2005 (Employee Polygraph Protection Act)
Employee tax records	4 years from the date tax is due or paid	26 C.F.R. 31.6001-1(e)(2); 26 U.S.C. § 3101-3128 (Federal Insurance Contribution Act); 26 U.S.C. §§ 3301-11(Federal Unemployment Tax Act); IRS Publication 15 (2017), (Circular E), Employer's Tax Guide
Medical exams required by law	Duration of employment + 30 years	29 C.F.R. § 1910.1020

Record	Minimum Retention Period	Citation
Personnel or employment records [made or kept by a contractor or subcontractor with at least 150 employees or at least \$150,000 in federal government contracts]	2 years from the date the record was made or personnel action was taken, whichever is later	41 C.F.R. § 60-1.12(a); 41 C.F.R. § 60-741.80(a)
Pension plan and retirement records	The full time period each plan is in effect and for at least 10 years after its termination and distribution of all benefits	Best practice
Pre-employment tests and test results	1 year from date of personnel action	29 C.F.R. § 1627.3(b)(1) (ADEA)
Salary schedules; ranges for each job description	2 years	29 C.F.R. § 1620.32(c)
Time reports	Termination + 3 years	Best practice
Training Materials	5 years	Best practice
Workers' compensation records	Duration of employment + 30 years	Best practice
Payroll Records		
Payroll registers (gross and net)	4 years after payment	Best practice; <i>see also</i> 29 C.F.R. § 516.5(a)
Timecards; piece work tickets; wage rate tables; pay rates; work and time schedules; earnings records; records of additions to or deductions from wages; records on which wage computations are based	2 years	29 C.F.R. § 516.6 (FLSA and Equal Pay Act)
W-2 and W-4 Forms and Statements	As long as the document is in effect + 4 years	26 C.F.R. § 31.6001-5; IRS Publication 15