

520 Record Retention Policy

Effective Date: 04/21/2017

Revision Date:

RETENTION AND DESTRUCTION

Bonneville County records must be retained according to applicable law, contractual requirements, and this policy. Idaho Code 31-871 contains the general rules of retention. All record retention will operate under this law unless otherwise stated in Idaho Code. All Bonneville County employees are prohibited from destroying Bonneville County records in violation of applicable law, contractual requirements, and this policy. Bonneville County records may only be destroyed by resolution of the Board of Bonneville County Commissioners and upon the advice of the Bonneville County Prosecuting Attorney's Office.¹

All questions regarding the retention of records should be directed to a supervisor, manager, department head, or elected official. If the department head or elected official determines that the records should be disposed of, a records destruction request must be sent to the Bonneville County Prosecuting Attorney's Office for review. The request should include a detailed list of the records to be destroyed.¹ The Bonneville County Prosecuting Attorney's Office will review the request and provide its advice on the length of time that those records need to be retained.² Any record found not to be classified by law or previous resolution is to be classified by the Board of Bonneville County Commissioners.¹

If the records can be disposed of, the Bonneville County Prosecuting Attorney's Office will prepare a resolution authorizing the destruction of the records. The records may only be disposed of if the Board of Bonneville County Commissioners passes the resolution.¹ the destruction of those records must be done under the direction and supervision of the elected official or department head responsible for such records.¹

The time specified by the record retention schedule is a minimum time to retain the respective record.

¹ Idaho Code 31-871

² Idaho Code 31-2604

RECORDS ONLY ON COUNTY OWNED OR LEASED PROPERTY, HARDWARE AND SOFTWARE

Records relating to Bonneville County business must be stored, kept, or saved on property that is owned or leased by Bonneville County.

All electronic records relating to Bonneville County business may only be saved and stored on All electronic records relating to Bonneville County business should be stored on the Bonneville County network and not on the desktop of any computer, thus allowing proper retention and destruction of such records.

Hard copy documents may be reproduced and retained in a photographic or digital media. After transferring the record to the new photographic or digital format, the original copy may be disposed of

or returned to the sender unless otherwise dictated by Idaho Code.³

³ Idaho Code 31-871A

DESTRUCTION OF ELECTRONIC RECORDS

Electronic records are all information in digital form. This includes, but is not limited to, information stored on computers, software systems, tapes, disks, and optical disks.

Electronic records will be destroyed by the Bonneville County Information Technology Department in accordance with the schedule below. If there are legal, business or other requirements for keeping electronic records for a longer period of time, it is the responsibility of the appropriate employee, supervisor, manager, department head or elected official to ensure that those records are kept in conformity with such requirements.

Electronic mail inboxes must not be used for the archival storage of important electronic records; such records must be moved from electronic mail messages to word processing documents, databases, or hard copy. All electronic mail messages that are no longer needed for business purposes should be purged by employees from their personal inbox.

Electronic records must be destroyed in accordance with the following schedule unless other legal requirements require that these electronic records be maintained for a longer period of time:

- Elected Officials Email 10 Years
- All Other Employee Email 2 Years

PUBLIC RECORD REQUESTS

All requests for public records are to be directed to the head of the office or department. The disclosure of any record must abide by the standards dictated in Idaho Code. All requests must be responded to within 3 working days of the request. If a longer period of time is required for the record to be retrieved, the responsible official may inform the requesting person in writing that the period of retrieval will be extended to no later than 10 working days.⁴

⁴ Idaho Code 74-101 through 74-126

DESTRUCTION OF RECORDS

When being disposed of, confidential records are to be either shredded or burned. Other non-confidential records may be disposed of by discarding them into a garbage or recycling bin.⁵

The destruction of any County record that is related to ongoing, potential, threatened or reasonably anticipated litigation is strictly prohibited. In addition, the destruction of any County record that must be retained for any legal or contractual reasons is strictly prohibited. If any employee knows of ongoing, potential, threatened or reasonably anticipated litigation that may be related to any County record, including any electronic record, that is set to be destroyed or disposed of, that employee must inform the person scheduling the records for destruction, supervisor, manager, or the supervising department head or elected official.

If an employee knows that a County record may be destroyed or disposed of in violation of this policy, such employee must take all appropriate steps necessary to prevent such record from being destroyed or disposed of.

⁵ IAC Record Retention Manual 2012 pg. 8-9

Violations

All employees are expected to comply with this policy and the established procedures for their department or office in responding to public records requests. If the policy is not clear in a certain instance, employees must seek guidance from their supervisor. Violations of this policy are strictly prohibited and will subject an employee to disciplinary action.