

**UNIVERSITY of NORTH DAKOTA
RECORDS MANAGEMENT PROCEDURE LIBRARY**

Office of Records Management

Procedure: Records Hold
Responsible Executive: General Counsel
Responsible Office: Office of Records Management
Issued: February 26, 2015
Last Review / Revision: February 26, 2015



REASON FOR PROCEDURE

UND is required by North Dakota Century Code Chapter 54-46 to establish and maintain an active, continuing program for the economical and efficient management of records. One component of this program is the uniform disposition of records based on the University of North Dakota Records Retention Schedule. Once records have met the required retention, they are transferred to the archives, retained permanently, or destroyed in accordance with the schedule. Records should only be retained longer than the required retention to satisfy the requirements of ongoing audit or legal matters including contractual obligations and litigation. This procedure details the process of implementing, maintaining, and removing a records hold to meet those obligations.

CONTACTS

Specific questions should be directed to the following:

| Subject | Contact | Telephone | Office or Department E-Mail / Web Address |
|--------------------------------|------------------------------|------------------|---|
| Procedure Clarification | Office of Records Management | (701) 777-6797 | http://und.edu/general-counsel/records-management/ |
| Records Retention | Office of Records Management | (701) 777-6797 | http://und.edu/general-counsel/records-management/ |

DEFINITIONS

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| Disposition | Action to be taken on a record series at a specified time. May entail destruction, reformatting, transfer, or permanent retention. |
| Office of Record | The department that is responsible for maintaining the official record copy of a document for the institution. |
| Record | The complete set of documentation, regardless of media format, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the institution. |
| Records Hold | The preservation of official records stored on all media types (e.g. paper, electronic, microforms) related to an ongoing audit or legal matter regardless of their standard retention period. |

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| Records Retention Schedule | An approved timetable stating retention periods (length of time to maintain) and the method of disposal for the records. |
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| Retention Period | The length of time a record must be maintained, based on administrative, fiscal, historical, and legal values before disposition can take place. |
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PROCEDURES

Records Hold

1. University Records Manager is notified by North Dakota State Auditors, North Dakota Attorney General's Office, or a University of North Dakota department that a pending matter requires the retention of records beyond the required retention period.
2. University records manager gathers information from the notifying party including the record series and timeframe of records included in the hold.
3. University records manager identifies the offices of record, who are responsible for maintaining the impacted records.
 - a. A records hold is only applied to the official copy of a record stored in the office of record. Copy holders are allowed to follow the standard disposition stated in the records retention schedule.
4. University records manager drafts a records hold memo, including the rationale for the hold and a list of records and associated offices of record.
5. University records manager distributes the records hold memo to records coordinators in the offices of record. This distribution may occur during a meeting or via email or inter-campus mail depending on the nature and complexity of the records hold.
6. Records coordinators will note the records maintained by their offices and retain those records indefinitely, while the records hold is in place.
 - a. This process does not include the creation of copies or transfer of records for audit or legal review. A separate discovery process would be initiated to create and transfer copies of official records. The official record should be maintained in the office of record throughout the process.
7. University records manager monitors all records holds and communicates with the notifying party to determine when the hold can be removed.
8. University records manager notifies records coordinators via a records hold removal memo once the audit or legal matter has been resolved. This action returns all previously retained records to their normal disposition per the retention schedule.
9. Records coordinators implement normal disposition for all records previously maintained by the records hold.

RELATED INFORMATION, RESOURCES & FORMS

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| NDCC 54-46 – Records Management | http://www.legis.nd.gov/cencode/t54c46.pdf?20150225215324 |
| University of North Dakota Records Retention Schedule | http://und.edu/general-counsel/records-management/_files/docs/2014-07-01-records-retention-schedule.pdf |

REVISION RECORD

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| 02/26/2015 – Procedure Implementation | Office of Records Management |
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