



## **7400.2: RETENTION OF ELECTRONIC MAIL (E-MAIL) RECORDS**

The District shall take steps to ensure the retention of District electronic mail (e-mail) records that are deemed public records in compliance with the applicable state laws.

#### 1. RETENTION OF E-MAIL RECORDS.

a. Standardized retention and filing guidelines shall be implemented by the District for the retention and retrieval of District e-mail designated for retention.

b. Electronic Mail (e-mail) and all attachments transmitted, created or received through/on the District system are Public records and are subject to retention and public inspection, unless excluded by specific statute or legal privilege. State Records Admin. (S. of S.) Electronic Messaging and E-Mail Guidelines, §006.01, March 2003.

c. E-mail of the District shall be categorized, retained and produced in accordance with State Statutes, applicable State Rules and District Policies.

i. Any e-mail record containing information pertaining to the operations and business of the District and not otherwise excluded herein shall be maintained by the District and shall be available to the public for inspection and copying.

ii. Any e-mail of the District which constitutes student records as that term is defined by Federal and State law and by the applicable District policies and rules shall be maintained by the District as required by law and District policy but shall not be disseminated as a public record.

iii. Any e-mail of the District which constitutes confidential personnel information as that term is defined by Federal and State law and District policy and rule shall be maintained by the District as required by law and District policy but shall not be disseminated as a public record.

iv. Any e-mail of the District which is subject to any legal privilege created and recognized by law or statute. Such records shall be retained and maintained by the District but shall not be disseminated as a public record.

v. Transitory e-mail pertaining to or constituting informal or casual and routine communications similar to telephone conversations need not be retained. Such messages include, but are not limited to, personal e-mail, junk e-mail ("spam"), date and time confirmations, routine updates, and communications not necessary or essential to performing District functions or transacting District business.

## 2. ACCESS OF E-MAIL RECORDS

a. Throughout any required retention period e-mail records (archives) should be reasonably accessible. State Records Admin. (S. of S.) Electronic Messaging and E-Mail Guidelines, §006.12, March 2003.

b. The District shall implement the necessary process and procedures for the storage, retention and retrieval of e-mail records on the District system. The District may use Records Management Application (RMA) software to manage records in a digital form, which complies with "Design Criteria Standards for Electronic Management Software Applications" as issued by the U.S. Department of Defense. State Records Admin. (S. of S.) Electronic Messaging and E-Mail Guidelines, §007.09, March 2003.

c. The Superintendent or designee shall be responsible for the record keeping and management of any centralized electronic system by which e-mail is maintained, stored and provided, and shall provide for access to the e-mail of the District as required by law.

### **Date of Adoption**

December 15, 2003

### **Reaffirmed**

August 21, 2006

February 6, 2017

January 23, 2023

### **Related Policies and Rules**

[7400: Electronic Records Retention & Disposition](#)

[7400.1: Electronic Records Retention & Disposition](#)

## **Legal Reference**

Neb. Rev. Stat. §84-1201, et seq. (Reissue 1999)

*Electronic Messaging and E-Mail Guidelines, State Records Admin, March 2003*