

## **Banning Lewis Ranch Academy (BLRA) Records Retention Policy**

**Scope and Purpose:** The purpose of the Records Retention Policy is to ensure that the board, administration, and management company comply with all requirements applicable to Banning Lewis Ranch/Preparatory Academy outlined in law, statute, policy, and regulatory guidelines.

SCHOOL BOARDS OF COLORADO'S RECORDS MANAGEMENT MANUAL FOR SCHOOL DISTRICTS. Banning Lewis Ranch Academy (BLA) shall reference the Colorado School District Records Management Manual (the Manual) developed by the Colorado State Archives department to assist in determining appropriate retention periods for various types of school records. BLRA will retain records for the time periods specified by the Manual, unless a longer retention period is required by state or federal law. Documents and other materials that are not "records" required to be retained by the Manual, state or federal laws, policies or standard operating procedure, or other governing guidelines that are not necessary to the functioning of the school, may be destroyed when no longer needed. All school officials, staff, or other employees, vendors, or contractors may be subject to disciplinary action for violation of this policy.

CHARTER SCHOOL INSTITUTE RECORDS GUIDANCE: Student records shall be maintained in accordance with the federal Family Educational Rights and Privacy Act of 1974, the Colorado Open Records Act, and the Colorado Children's Code Records and Information Act. Each individual's right to privacy shall be protected by limiting the transferability of education records without consent of the parent or eligible student except as otherwise provided by law. BLA has no student directory; thusly, BLA will respect all rights of families and students in regard to records in accordance with all state and federal protections.

ACCEL SCHOOLS MANAGEMENT AGREEMENT: ACCEL shall produce to the Board for its review, at any time upon reasonable notice to ACCEL, the books and records of ACCEL pertaining to its operation of the Charter School pursuant to this Agreement (including, without limitation, the financial records relating thereto). All such financial, educational and student records pertaining to the Charter School are the property of the Charter School and are subject to the provisions of the Colorado Open Records Act.

ACCEL will maintain accurate financial records pertaining to its operation of the Charter School, together with all Charter School financial records prepared by ACCEL and retain all such records for a period of five (5) years (or longer if required by the Code or other applicable laws and regulations) from the close of the fiscal year to which such books, accounts and records relate. Upon the expiration of such time period or the termination of this Agreement, ACCEL shall either deliver such records to the Charter School or destroy them, as instructed in writing by the Charter School. All financial records retained by ACCEL pertaining to the Charter School will be available to the Charter School, the Authorizer or the Colorado Department of Education for inspection and copying upon reasonable request.

ACCEL will maintain accurate student records pertaining to the students enrolled at the Charter School as is required and in the manner provided by the Charter, the Code and applicable laws and regulations and retain such records, together with all additional Charter School student records prepared by or in the possession of ACCEL, and retain such records permanently on behalf of the Charter School or until this Agreement is terminated, at which time such records will be transferred to the Charter School and become the sole responsibility of the Board. ACCEL and the Charter School will maintain the proper confidentiality of personnel, students and other records as required by law and the Charter. ACCEL will be responsible for all Family Educational Rights and Privacy Act (FERPA), and Colorado Open Records Act (CORA) compliance with respect to such records.

Legal Ref:

2 C.F.R. 200.333 (retention requirements for federal fiscal records)

C.R.S. 24-72-113 (limit on retention of passive surveillance records)

C.R.S. 24-80-101 et seq. (State Archives and Public Records Act)

C.R.S. 24-73-101 et seq. (consumer data privacy laws applicable to governmental entities, including school districts)

Title 34, Part 99 Family Education Rights and Privacy;

US Code, Title 20-Education, Chapter 31, Subchapter 3, Part 4, Section 1232g

Adopted: Approval 2017, June 20

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-Expanded on existing information based on School Board of Colorado's Record Management Manual for School Districts, Charter School Institute Records Guidance, and the ACCEL Schools Management Agreement