

Spearfish School District E-Mail Retention Administrative Regulation

The School District is obligated to respect and, in many cases, to protect confidential data. There are, however, technical and legal limitations to the District's ability to protect confidentiality. For legal purposes, electronic communication (e-mail) is no different than a paper document. In limited circumstances the District, or individuals who work for the district, may be legally compelled to disclose information relating to business or personal use of the District's e-mail system to governmental authorities or, in the context of litigation, to other third parties. E-mail may also contain information that should be retained in the official records of the School District. Any e-mail message that would be saved had its contents been transmitted in paper form must be saved to the email archive and retained in school records.

An e-mail user's decision to retain an e-mail will be based on his/her best judgment of the demands of the situation to which the e-mail pertains. Individuals with questions regarding the retention of particular e-mail messages should obtain an immediate opinion from their supervisor.

I. Examples of e-mail messages which may be deleted are:

- A. Messages that address routine administrative, curricular and co-curricular matters, announcements of meetings, schedules of events, etc.
- B. Messages that take the place of informal discussion and which if they were printed would not be retained in school records.
- C. Messages that transmit generic information and are not specific to a student's educational program.
- D. Messages that address personal matters unrelated to the School District.

II. Examples of e-mail messages which should be retained are:

- A. Messages that address significant aspects of a specific student's educational program including, but not limited to, health, discipline, special education program, interaction with child protection agencies and communication with parents relating to specific aspects of the student's interaction with the school district.
- B. Messages that address and/or provide information used in making policy decisions, concerning curricular or co-curricular activities, personnel actions or that relate to the business transactions of the School District.
- C. Messages that address activities of significant interest in the community relating to the School District.
- D. Emails that are the subject of investigations or litigation when the district has reasonable notice of the proceeding.