

DEFINITION

Within this policy:

1. a "record" means any written photographic, machine-readable, or other recorded information created, or received, by, or on behalf, of TSD that documents activities in the conduct of state business, or use of public resources. The term does not include library, or museum, material made, or acquired and maintained solely for reference, or exhibition purposes; an extra copy of recorded information maintained only for reference; or a stock of publications, or blank forms.
2. a "confidential state record" means any state record to which public access is, or may be restricted, or denied under Texas Government Code Chapter 552, or other state, or federal, law.
3. a "vital state record" means any record necessary to the resumption, or continuation, of state agency operations in an emergency, or disaster; the recreation of the legal and financial status of the agency; or the protection and fulfillment of obligations to the people of the State.

Government Code 441.180(4), (11), (13)

RESPONSIBILITIES
SUPERINTENDENT

The Superintendent shall have the following responsibilities related to TSD records:

1. Establish and maintain a records management program on a continuing and active basis;
2. Create and maintain records containing adequate and proper documentation of TSD's organization, functions, policies, decisions, procedures, and essential transactions of TSD designed to furnish information to protect the financial and legal rights of the state, and any person affected by the activities of TSD.
3. Make certain that all TSD records are passed to the Superintendent's successor.
4. Identify and take adequate steps to protect confidential and vital state records.
5. Cooperate with the Texas State Library and Archives Commission in the conduct of State Agency Records Management Surveys; and
6. Cooperate with the Texas State Library and Archives Commission, the chief executive and administrative officer of the Texas State Library and Archives Commission, and any designees of thereof, in fulfilling their responsibilities under Chapter 441, Subchapter L of the Texas Government Code.

Government Code 441.183

OFFICE MANAGEMENT:
RECORDS MANAGEMENT PROGRAM

RECORDS MANAGEMENT OFFICER

The TSD Records Management Officer shall:

- 1. Administer the TSD records management program.
- 2. Assist the Superintendent in fulfilling all of the Superintendent's duties under rules adopted pursuant to Chapter 441, Subchapter L of the Texas Government Code.
- 3. Disseminate to TSD employees information concerning state laws, administrative rules, and TSD policies and procedures relating to the management of state records.
- 4. Fulfill all duties required of records management officers under Chapter 441, Subchapter L of the Texas Government Code.

The TSD records management officer designated by the Superintendent shall continue to serve in that capacity until the officer ceases employment with TSD; the Superintendent chooses to act as the records management officer for TSD; or the Superintendent appoints another person as the records management officer.

Government Code 441.184

DEPARTMENTAL RECORDS CUSTODIANS

RECORDS

The following TSD administrators shall serve as Departmental Records Custodians for the records in their respective departments:

- 1. Superintendent
- 2. Director of Education
- 3. Director for Business and Operations
- 4. Director of Human Resources
- 5. Director of Technology
- 6. Directors of Instruction
- 7. Principals
- 8. Director of Special Education

The Departmental Records Custodians shall:

- 1. Cooperate with the Records Management Officer in carrying out this policy and any procedures implementing this policy; and
- 2. Maintain the records in their care and carry out the preservation, microfilming, destruction, or other disposition of the records in accordance with this policy and any procedures implementing this policy.

MICROFILMING

The Records Management Officer may designate a photographic reproduction of any TSD record as an original record for all legal purposes, even though the record is current. The Records Management Officer may transfer the replaced record to the director of the records management division of the Texas State Library who has the responsibility of issuing a receipt for the record to the Records Management Officer.

Government Code 441.188

TEXAS SCHOOL FOR THE DEAF

**OFFICE MANAGEMENT:
RECORDS MANAGEMENT PROGRAM**

CPC

ELECTRONIC RECORDS Electronic records used for official TSD business are state records and must comply with records management requirements.

Government Code 441.189

PRESERVATION OF RECORDS The Board shall determine a time for which information that is not currently in use will be preserved, subject to any applicable rule or law governing the destruction and other disposition of local government records or public information. *Gov't Code 552.004*

The Board shall preserve the certified agenda or tape recording of a closed meeting for at least two years after the date of the meeting. If an action involving the meeting is brought within that period, the certified agenda or tape recording shall be preserved while the action is pending. *Gov't Code 551.104(a)*

FEDERAL INVESTIGATIONS AND BANKRUPTCY

Anyone who knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any bankruptcy case, or in relation to or contemplation of any such matter or case, shall be fined, imprisoned not more than 20 years, or both. *18 U.S.C. 1519*

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