

Electronically Stored Information

Electronically stored information (ESI) will be defined as information comprising official records of the District that are maintained only in an electronic form. ESI includes electronic copies of written electronic communications (or e-mail communications), documents stored on District tape, disk, hard drive, or similar electronic medium.

Supplement to State Law and Regulations

This administrative regulation is intended to serve as a supplement to Local Government Code Chapter 205 and Regulations adopted under this Chapter. [See CPC(LEGAL)] In the event of a conflict, the provisions of Chapter 205 of the Local Government Code and related regulations will prevail over the provisions of this regulation.

Esi Available in Another Form

If electronically stored information is available in another form, such as a paper copy, the electronic form will not be the official District record unless specifically designated by the Superintendent.

Retention of ESI

When ESI is the official District information, it is subject to retention requirements of the State of Texas and the District.

Routine ESI

Routine ESI is defined as electronically stored information that is not substantial in nature and ordinarily would not be retained as an official District record. Examples include e-mail responses acknowledging receipt of an e-mail; acknowledgement of a meeting notice or plans to attend a meeting; requests for individuals to attend a meeting; a notice that an employee is out of the office and not available; and similar information not ordinarily retained as a record. Routine ESI may be deleted or erased by the person creating or receiving it in accordance with the established ESI practice of deleting unnecessary information for the purpose of making storage space available for official records and other needed information.

Claims Involving the District

Claims involving the District are defined as:

1. Complaints to the District regarding District action;
2. Personnel grievances;
3. Complaints by or with the District;
4. Procurement protests or appeals to governmental agencies; and
5. Litigation involving the District.

Retention of ESI Related to Claims

As soon as possible upon actual knowledge of a claim involving the District, the Superintendent will provide notice regarding the ESI related to the claim and will require that the ESI related to the claim be maintained until final disposition of the claim and for any required retention period after disposition of the claim.

In the event documents or information in electronically stored form must be maintained by the District, they will be retained by means of one of the following:

1. Copying the ESI into an electronic file that can be maintained indefinitely and reproduced;
2. Copying the ESI onto paper or a similar form; or
3. Retaining the ESI in its then current electronic form.

Individual
Responsibility

Each individual employee who creates and maintains electronically stored information will be the person responsible for retention of the ESI in compliance with District, state, and federal records retention requirements, and for maintaining the ESI when it is related to a claim involving the District.

In the event the ESI was not created by a District employee, then the employee who received the ESI or responded to the ESI, will be responsible for its retention and maintenance.

The individual who creates and maintains ESI or who received or responded to ESI may delete or erase the ESI when it is no longer required to be maintained in connection with a claim or pursuant to District, state, or federal records retention requirements.