

BROKEN ARROW PUBLIC SCHOOLS – RECORD RETENTION CHART

Warning: If a record pertains to ongoing or anticipated litigation, do not destroy it!

RECORD DESCRIPTION	RETENTION PERIOD	LEGAL AUTHORITY
Student Cumulative Folders and Student Permanent Record Cards		
Original copy of individual scholastic and other permanent records relating to each student	Permanent	70 O.S. § 24-114
A record with each student’s records indicating all individuals who requested or obtained access to that student’s records, as well as the legitimate interest the individual had in obtaining the information	Permanent	20 U.S.C. § 1232g (4)(A)
Parent’s written statement disagreeing with the decision to retain a student or not pass the student in a course	Permanent	70 O.S. § 24-114.1
Results of an individual student screening through a regional education service center	Must destroy when the information is no longer needed or when the student reaches 18, whichever is earlier.	70 O.S. § 1210.277
Records reflecting a report of child abuse	Must destroy when the student reaches 18 years of age	10A O.S. § 1-2-107
Student disciplinary records, including those pertaining to a student assault, carrying weapons, illegal drug possession, and any incident posing a potential dangerous threat to other students or school personnel	Recommended: keep until the student reaches 18 and is no longer attending the education institution	70 O.S. § 24-101.4
Student attendance record	Permanent	70 O.S. §10-106
Teacher Grade Books and Teacher Plan Books		
Teacher grade books and teacher plan books	Two calendar years beyond the last day of the school year in which they are created	
Payroll Records		
Payroll statements and affidavits	Permanent	62 O.S. § 304.1(C)
Payroll records of employees to which the minimum wage and maximum hour laws apply, including all records containing the following information: 1. Full name; 2. Social Security number; 3. Identifying symbol or number used on payroll records in place of name; 4. Home address, including zip code; 5. Date of birth, if under 19;	Three years	29 C.F.R. § 516.2 29 C.F.R. § 516.5

RECORD DESCRIPTION	RETENTION PERIOD	LEGAL AUTHORITY
6. Sex and occupation in which employed 7. Time of day and day of week in which an employee's work week begins or the starting time and length of each employee's work period; 8. Regular hourly rate of pay for any work week in which overtime compensation is due, including the basis of the pay by showing the amount paid per hour, per day, per week, or other basis; 9. Hours worked each work day and total hours worked each work week; 10. Total daily or weekly straight-time earnings or wages due for hours worked during the work day or work week, exclusive of overtime; 11. Total pay for overtime hours; 12. Total additions or deductions from wages paid each pay period; 13. Total wages paid each pay period; 14. Date of payment and wages and pay period covered by those wages; and, 15. If retroactive payment of wages is made, the employer must record and preserve as an entry on pay records the amount of payment to each employee, the period covered by the payment, and the date of the payment	(Cont.) Three years	
Payroll records of bona fide executive, administrative, or professional employees, including all records containing the information in items 1 – 7 and 12 – 15 above, plus the basis on which wages are paid, fringe benefits, and any prerequisites for pay or benefits	Three years	29 C.F.R. § 516.3 29 C.F.R. § 516.5
Collective bargaining agreements	Three years	29 C.F.R. § 516.5
Employment contracts	Three years	29 C.F.R. § 516.5
Certificates of employment	Three years	29 C.F.R. § 516.5
Sales and purchase records	Three years	29 C.F.R. § 516.5
Basic employment and earnings records, including time sheets	Two years	29 C.F.R. § 516.6
Wage rate tables	Two years	29 C.F.R. § 516.6
Order, shipping, and billing records	Two years	29 C.F.R. § 516.6
Records of additions to or deductions from wages paid	Two years	29 C.F.R. § 516.6

Separated Employee Records (and also other employee records)		
Personnel or employment records, including but not limited to: requests for accommodation; applications; other records submitted during the hiring, promotion, demotion, transfer, or termination process; and rates of pay or other terms of compensation	Two years from the making of the record or from the date of the personnel action involved, whichever is later	29 C.F.R. § 1602.40
Personnel or employment records relating to a charge of discrimination	Keep through the final disposition of the charge	29 C.F.R. § 1602.40
Employee drug and alcohol testing record obtained from the Department of Transportation	Keep for three years from date employee first performs safety-sensitive duties	49 C.F.R. § 40.25(i)
Results of employee alcohol test indicating alcohol concentration of .02 or greater	Five years	49 C.F.R. § 40.333
Results of positive employee drug test	Five years	49 C.F.R. § 40.333
Documentation of an employee's refusal to take a drug and alcohol test (including substituted or adulterated test results)	Five years	49 C.F.R. § 40.333
SAP reports	Five years	49 C.F.R. § 40.333
Follow up tests /schedules for follow up tests	Five years	49 C.F.R. § 40.333
Negative drug and alcohol test results	One year	49 C.F.R. § 40.333
Information on drug and alcohol tests obtained from previous employers	Three years	49 C.F.R. § 40.333
Records of inspection, maintenance, and calibration of evidential breath testing apparatuses	Two years	49 C.F.R. § 40.333
Sick leave record	Recommended: ten years	715 Okla. Admin. Code 10-5-29, 10-5-30
Board Meeting Records		
Minutes	Permanent	25 O.S. § 312
Activity Account Records and District Financial Records		
Financial records, including claims, warrants, contracts, purchase orders, and any other financial records or documents	Five years	51 O.S. § 24A.4 70 O.S. § 5-122
Activity fund records	Five years	70 O.S. § 5-122
Report of an audit conducted pursuant to the Oklahoma Public School Audit Law	Five years	70 O.S. § 22-108(B)
Records related to the Competitive Bidding Act, including both successful and unsuccessful bids and all resulting contracts and required bonds	Five years from the date of opening bids or three years from the date of completion of the contract, whichever is longer	61 O.S. § 112

Federal and State Programs		
Records pertaining to federal funds, including records disclosing amount and disposition of funds, total cost of activity, share of cost from non-federal sources, and other records that would facilitate an audit.	Three years after the completion of the activity for which the funds were used	20 U.S.C. § 1232f(a)
Records pertaining to federal funds which are the subject of litigation, claim, negotiation, or audit ongoing at end of three year retention period	Keep until the issue is resolved	34 C.F.R. § 80.42
Records pertaining to the National School Lunch Program	Three years	7 C.F.R. § 210.20 (b) (12)

Note: Other than permanent student records, records need not be maintained in original form. However, as soon as the District suspects that there may be a claim or lawsuit in the future on a particular matter, the District has a duty to maintain all related records in their original form, even if those records were otherwise due for destruction.