



Institutional Compliance and Internal Audit Quarterly Newsletter

Compliance Matters



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Inspiring every day.

Compliance in Focus

In today's regulatory environment, proper records management and retention is more important than ever. As the need for compliance grows, so do the laws and policies (designed to promote accountability and legal defensibility). This edition of the Compliance Matters newsletter shines a spotlight on the essential role of the Record Management Office and the comprehensive support services it provides to help meet these evolving demands

In this issue, we invite you to take a deeper look at the Record Management Office, its mission, resources, and the practical ways it serves and provide guidance to departments across the institution. We also highlight the recent realignment of the office under Institutional Compliance and Internal Audit, an important step that strengthens coordination, enhances oversight, and reinforces our institution's commitment to maintaining strong governance practices.

Additionally, this issue explores how proper records retention is not just a regulatory requirement, but a strategic safeguard. Thoughtful and consistent retention practices can mitigate risks such as legal exposure during disputes, operational inefficiencies caused by disorganized or outdated records, and potential noncompliance with key regulations such as Family Educational Rights and Privacy Act (FERPA) and Gramm-Leach-Bliley Act (GLBA).

Having sound understanding and thorough application of records management principles, allows MCC to be well positioned to protect sensitive

information while improving overall efficiency and decision-making practices at the institution.

Regards,

Institutional Compliance and Internal Audit

On the Record: An Introduction to MCC's Record Management Department/Program

By Glenn Tolle

What is Records Management?

Records management is, as the name suggests, the process of managing records. Records, broadly speaking, are information that an institution receives, creates and utilizes. Records can exist physically (in the form of paper, microfilm etc.) or digitally (emails, word documents, excel sheets, pdf's etc.). When a record is received or created, the record lifecycle begins. While in active use, the record is in the "Active" stage of the records lifecycle. When a record is no longer in active use, it enters the "Inactive" stage of the records lifecycle.

During the inactive stage, the record is often transferred to a secure records storage facility (e.g., MCC's Record Management Department, Downtown Campus).

At the end of a record lifecycle the record enters the "Disposition" stage. In this stage the record is either destroyed, kept permanently, or, in some cases, transferred to another government or organization.

All records management programs follow a retention and disposition

schedule. This retention and disposition schedule is tied to the record lifecycle.

What is a Retention and Disposition Schedule? What Retention and Disposition Schedule does MCC Follow?

MCC complies with the [Retention and Disposition Schedule for New York Local Government Records \(LGS-1\)](#).

The LGS-1 is the retention and disposition schedule also adopted by Monroe County, New York.

LGS-1 retention and disposition schedule describe how long different types of records should be legally kept, and when they can be destroyed. Often, regardless of the format a record exists (physical, or digital), the same retention applies. It is recommended to check the LGS-1 before broadly applying a retention to a specific type of record.

It's important that all records, regardless of their retention or topic, be handled with care, safely stored, and inventoried. Because most records contain sensitive and personal identifiable information (PII), they should be accessible only to the record owners. When a record is past its retention period, and is no longer of use to the record owner, it is often advised that the record be destroyed via a secure destruction method. Destroying records that are past their retention period reduces risk to the college, and makes room for new records. When looking to identify the retention period of a particular record, a good place to start is the "[Community College](#)" section of the LGS-1. This section was created specifically for institutions like ours.

When do you keep a record past its legal retention period?

Record owners can choose to hold on to records if they feel they will still be of use in the future, or if they feel there may be historical value (see Archival Records). Record owners may also be required to keep a record longer for legal reasons or if it is required contractually.

What are Archival Records?

There are two types of archival records (records kept permanently by an institution) outlined in the LGS-1:

- Records that are kept, "permanently to meet fiscal, legal, or administrative needs".
- Records that are kept, "because they contain historically significant information."

At MCC The archival records that contain "historically significant information" are largely kept in the College Archive, located in the LeRoy V. Good Library. If you have any questions about historical records, or, if you feel you have a record that might be worth preserving in the College Archive, please reach out to [Steven McWilliams \(smcwilliams@monroecc.edu\)](mailto:smcwilliams@monroecc.edu) or [Alice Wilson \(awilson@monroecc.edu\)](mailto:awilson@monroecc.edu). Please note that: "historically significant" archival records must be accessible to the general public and cannot contain sensitive or identifiable information.

For Archival records that are kept "permanently to meet fiscal, legal, or administrative needs" please reach out to the Record Management Department. Many archival records of this type are stored in MCCs secure records storage room (Downtown Campus).

What if the LGS-1 doesn't have my specific record listed?

The LGS-1 is large, and it can sometimes be hard to locate and identify the record you are trying to establish a retention period for. To make things even more frustrating, sometimes the LGS-1 does not have a section or listed retention for a particular record. When these situations arise, you may contact MCC'S Record Management Department. MCC'S Record Management Department will conduct further research on the record in question to obtain the necessary retention period, should one exist.

What Laws and Regulations must MCC's Record Management Program comply with?

MCC is required to comply with the record retention schedule adopted by our governing body which is, Monroe County, New York. In 2020, Monroe County adopted the [Retention and Disposition Schedule for New York Local Government Records \(LGS-1\)](#) and as of that time MCC has complied with the LGS-1.

Tied to the LGS-1 is [Section 57.25 of the Arts and Cultural Affairs Law](#). This section details the local officer's role in managing local records and utilizing a records retention and disposition schedule.

Due to the nature of MCC's student records, the college is also required to follow FERPA laws. MCC also has some records that may be bound to HIPAA laws and regulations as well.

For further information [on laws and regulations pertaining to records](#), please review the list curated by the [New York State Archives](#). The list can be found in the "Records Management" section of the New York State Archives website

under ["Laws and Regulations Related to Records"](#).

What is Disaster Planning?

All records, regardless of their format, are vulnerable to natural and man-made disasters. Because of this, all record owners and record managers should be aware of how to respond should a disaster occur. More information on MCC's disaster plans can be found through MCC's Public Safety department.

What does the MCC Records Management Department do? What services are provided?

MCC's Record Management Department is responsible for storing, preserving, retrieving and refiling records in the records storage room. It is also responsible for predicting future records management needs, overcoming challenges, and recommending ways to improve the college's record management program and operations. Finally, Record Management department is in charge of educating staff, employees and departments about records management and assist with any record management projects or questions.

MCC's Record Management Department helps construct policies and procedures for the records management program, and routinely handles secure shredding requests and provides assistance with microfilm and digitization projects.

Policies, Procedures, and Protocols

With the upcoming changes to Title II of the Americans and Disabilities Act (ADA), it is worth highlighting the

College's policy, [2.9 Americans with Disabilities Act and Americans with Disabilities Act Amendments Act Policy](#) and [2.28 Digital Content Accessibility Policy](#). Take a moment to review these policies, all College policies can be accessed on [MCC Policies webpage](#).

Unrelated to the changes under Title II of ADA, the College recently updated the [Vacancy Review Protocol](#) and added [Posthumous Degree Protocol](#). Take a moment to review these protocols, all protocols can be accessed on [MCC Protocols webpage](#) via Employee Tools channel in myMCC.

Please direct any questions to the [Institutional Compliance and Internal Audit Office](#) (complianceandaudit@monroecc.edu).