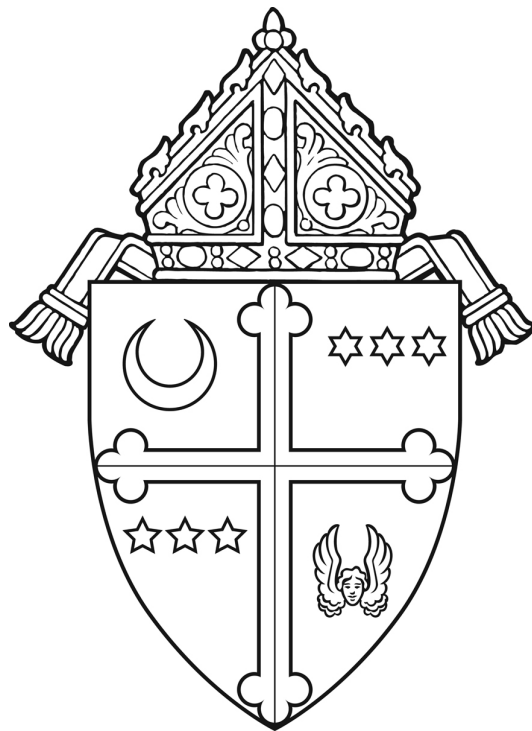


# Records Retention Policy

ARCHDIOCESE OF WASHINGTON



Office of the Moderator of the Curia

P.O. Box 29260

Washington, DC 20017

[moderatorofthecuria@adw.org](mailto:moderatorofthecuria@adw.org)



# ARCHDIOCESE OF WASHINGTON

Archdiocesan Pastoral Center: 5001 Eastern Avenue, Hyattsville, MD 20782-3447  
Mailing Address: Post Office Box 29260, Washington, DC 20017-0260  
301-853-4500

July 1, 2016

Vicar General  
and Moderator of the Curia

Dear Colleagues,

It is a pleasure to present the promulgated *Records Retention Policy* for the Archdiocese of Washington. In the course of its ecclesial, pastoral, and day to day management efforts, the archdiocese – from Central Pastoral Administrative offices to offices in our parishes and schools – generates and receives documents that by federal, state, local and canonical law, and for specified periods of time, are required to be safeguarded, maintained and, when appropriate, properly disposed. It is important that we be good stewards of those documents entrusted to our care, while also recognizing that failure to adhere to this policy may expose the Archdiocese to significant risk.

This policy is the result of a working group composed of representatives of pastoral administrative departments, pastors and school administrators, and in consultation with the Administrative Board. The policy was also reviewed and received support from the Priest Council in its June, 2016 meeting.

This policy applies to all records – paper, electronic and other formats – that are produced or received by employees and staff of the Archdiocese of Washington, its parishes and schools. This policy will be implemented during the next twelve months becoming fully effective as of July 1, 2017. Implementation will begin with the Central Pastoral Administration offices followed later by the parishes and schools. As the policy is implemented, instructions and training will be communicated to you. Should you have any questions about the policy, please contact the Office of the Moderator of the Curia at [moderatorofthecuria@adw.org](mailto:moderatorofthecuria@adw.org) or 301-853-4523.

With gratitude for your dedication to your priestly ministries and all that we accomplish together in the service of Our Lord, I am

Sincerely in Christ,

Most Reverend Barry C. Knestout  
Vicar General and Moderator of the Curia



DONALD CARDINAL WUERL  
BY THE GRACE OF GOD AND THE APOSTOLIC SEE  
ARCHBISHOP OF WASHINGTON

## DECREE

To the Pastors, School Administrators, and officials of the central pastoral administration of the Archdiocese of Washington:

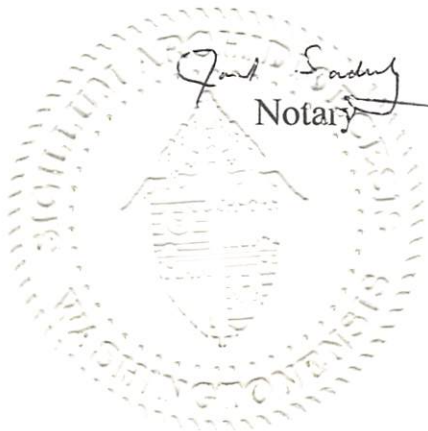
It is my pleasure to approve and promulgate the Records Retention Policy within the Archdiocese of Washington. The policy governs the guidelines for retention and proper disposal of records generated or received by employees and staff of the Archdiocese of Washington and its parishes and schools.

This Records Retention Policy becomes fully effective on July 1, 2017.

It is my hope that this policy will assist all involved in the records management of our parishes, schools and central pastoral administration to achieve our mutual goal of providing responsible stewardship of all records entrusted to the Church.

Given this first day of July, two thousand and sixteen, in the Archdiocese of Washington.

Archbishop of Washington

  
Notary

# Table of Contents

<b>Section I: Introduction and Statement of Policy</b>	<b>1</b>
<b>Section II: Definitions</b>	<b>2</b>
Record or Archdiocesan Record	2
Active Record	2
Permanent Record	2
Inactive Record	2
Disposable Record	3
<b>Section III: Policy</b>	<b>4</b>
Retention and Maintenance of Records	4
Personnel	4
Custody of Records	5
<b>Section IV: Transfers to Archives; Disposal and Destruction of Records</b>	<b>6</b>
In General	6
Procedures for Archdiocesan Offices and Departments	6
Procedure for the Director of the Archives	7
Procedure for Parishes	8
Maintenance and Destruction of Records Containing Sensitive Personally Identifiable Information	8
Confidential Canonical Files (Canon 489)	9
Special Circumstances; Records of Historical Value	9
Nonrecord Items	10
<b>Section V: Electronic Records</b>	<b>11</b>
In General	11
Electronic Records Intended for Destruction	11
<b>Section VI: Records Intended for Permanent Preservation</b>	<b>12</b>
Form of Record	12
Dual Storage of Permanent Records	12
Filing Equipment for the Central Pastoral Administration	12

---

# Section I: Introduction and Statement of Policy

In carrying out its ecclesial mission of ordering divine worship, and overseeing and exercising the works of the sacred apostolate including education, catechesis, social concerns and charity, especially toward the needy, and the caring for and decent support of the clergy and other ministers, the Church must engage in the administration of temporal goods. As part of the responsible administration of these goods, those who minister in the Church produce and receive a number of documents that, by law, must be protected with reasonable care. Indeed, the Code of Canon Law states, “In every curia there is to be erected in a safe place a diocesan archive, or record storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the diocese are to be safeguarded after being properly filed and diligently secured.” (CIC, c. 486 § 2). The oversight of the archives is the responsibility of the Chancellor, with the assistance of the vice chancellor, whose “principal function” is to “take care that acts of the curia are gathered, arranged, and safeguarded in the archive of the curia.” (CIC, c. 482 §).<sup>1</sup>

The Archdiocese of Washington requires that different types of records be retained for specific periods of time, and that records be destroyed in an appropriate time and manner. Various provisions of state and federal law also require the Archdiocese to maintain certain types of records, usually for a specified period of time. Failure to follow this policy can cause significant harm to the Archdiocese and its workers.

Archdiocesan records are, therefore, important patrimony. The Archdiocese is committed to effective record retention to meet legal standards, minimize the cost of record retention, optimize the use of space, and ensure that outdated and useless records are destroyed. This policy applies to all records, whether maintained in hard (paper) copy, electronically, or in some other fashion. These guidelines pertain to all records generated or received by employees and staff of the Archdiocese of Washington and its parishes and schools.

Throughout this policy, *examples and explanations* are provided in italics, in order to assist archdiocesan and parish staff in understanding the policy and its practical applications. The Director of Archives is at all times available to help answer questions on how to interpret and apply this policy.

---

<sup>1</sup> In the event the Chancellor of the Archdiocese is not a priest, then in light of certain restrictions under Canon Law, the policy of the Archdiocese is that the Chancellor shall not have custody of, or access to, records of priests. In such a circumstance, the custody of records of priests, and access to those records, shall instead be given to the vicar general, the episcopal vicar for clergy, the judicial vicar, and/or the vice chancellor (provided that office is held by a priest), or to such other individuals as the Archbishop may designate. Canon Law, the policy of the Archdiocese is that the Chancellor shall not have custody of, or access to, records of priests. In such a circumstance, the custody of records of priests, and access to those records, shall instead be given to the vicar general, the episcopal vicar for clergy, the judicial vicar, and/or the vice chancellor (provided that office is held by a priest), or to such other individuals as the Archbishop may designate.

## Section II: Definitions

### Record or Archdiocesan Record:

The original or a copy of any record that was generated or received by archdiocesan offices in the conduct of business. These can be either electronic or paper, an artifact, or audiovisual material.<sup>2</sup>

*Examples: an Excel file containing an archdiocesan office's approved budget; a hard copy of a utilities bill received in the mail; a medallion commemorating a papal visit; a photograph of parish staff.*

### Active Record:

A record necessary to conduct the current business of the Archdiocese or any archdiocesan office, department, or parish, and which is therefore generally maintained in office space and equipment.

*Examples: A copy of a contract for services currently being delivered to a parish; a list of recent donors; previous years' test results for a student currently enrolled in an archdiocesan school; a calendar of scheduled events at a parish this year.*

### Permanent Record:

A record designated on the Records Retention Schedule for permanent retention because of their evidentiary or historical value.

*Examples: news article about the Archdiocese; insurance policies; deeds; parish census records; audit reports.*

### Inactive Record:

A record for which the designated retention period is permanent or has not expired or which must otherwise be retained, e.g., for legal reasons, but for which the office, department, or parish in possession of it anticipates no reasonable likelihood of its use.

*Example: a lease that expired three years ago; a superseded version of a parish directory; a W-2 from five years ago for a former employee who left three years ago; October Mass counts from forty years ago.*

---

<sup>2</sup> However, for practical reasons particular to the current configuration of the Archdiocese's email system, email is specifically *excluded* from the scope of this policy at this time. Please see Section V(A).

## **Disposable Record:**

A record for which the retention period has expired and which is no longer necessary for business or legal reasons.

*Example: a lease that expired ten years ago; a cancelled check from eight years ago; a W-2 from nine years ago; direct deposit information for a terminated employee; a registration form for a deceased parishioner.*

## Section III: Policy

This policy serves as a framework for the Archdiocese's record retention program. Each parish and archdiocesan office should consult this policy as a guideline while implementing a record storage system and procedures that address the specific needs of their office.

### Section

## Retention and Maintenance of Records

The Archdiocese of Washington requires that different types of records be retained for specific periods of time in accordance with federal, state, and local record retention mandates. The retention period for each kind of record is established in the Archdiocese of Washington's Records Retention Schedule, which is incorporated into this policy by reference.

Adherence to these guidelines allows the Archdiocese to (1) meet legal standards for protection, storage, and retrieval; (2) optimize space; (3) minimize cost; (4) protect the privacy of our priests and other religious, our staff, and our parishioners; and (5) preserve the Archdiocese's history.

Any record that is relevant to pending or anticipated litigation, or that pertains to a claim, audit, agency charge, investigation or enforcement action, shall be retained at least until final resolution of the action. If faced with litigation, or anticipated or threatened litigation, an office's normal document destruction procedures need to be able to be temporarily suspended.

*Example: It is May of 2018, and the records coordinator at Our Lady of Good Governance has marked the monthly balance sheets from the previous fiscal year for destruction at the end of the current fiscal year, as is the parish's practice. (Under the Records Retention Schedule, monthly or quarterly balance sheets are to be disposed of after one year.) However, the parish discovers that a parish employee may have been embezzling money from an account reflected on the balance sheets. The records coordinator must suspend the regularly scheduled destruction of the balance sheets until the investigation into the embezzlement is concluded.*

## Personnel

By virtue of their appointments, each Secretary of the Archdiocese is responsible for the effective and efficient management of the records of his or her Secretariat. Each Secretary shall, at a minimum, designate one individual as the Secretariat's Records Coordinator. Instead of designating one individual for the entire Secretariat, the Secretary may choose to designate a Records Coordinator for each department or office within the Secretariat. For departments or offices that are not part of any Secretariat, the supervisors of those departments or offices shall fulfill the functions assigned to Secretaries in this regard.



## SECTION III: POLICY

Each Records Coordinator within the Central Pastoral Administration will be an exempt-level employee, not a non-exempt employee. The Records Coordinator shall be responsible for overseeing the administration of the active records of his or her own Secretariat, office, or department with the advice and assistance of the Director of the Archives.

Each Records Coordinator shall:

1. Implement the appropriate records retention and disposition schedule annually.
2. Ensure that the active records of the Secretariat, office, or department are maintained and managed in an efficient and cost-effective manner.
3. Consult with the Director of the Archives on records management or archival issues.

Pastors may also wish to designate a member of the parish staff to serve as Records Coordinator, or to assign certain duties to parish staff members in order to facilitate the parish's compliance with this policy.

### **Custody of Records**

Archdiocesan offices, departments, or parishes are the legal custodians of their records and retain legal custody of records stored in the Archives that are inactive but not permanent. The Director of the Archives may not permit access to those records nor destroy them without the consent of the originating office, department, or parish, or as directed by the Moderator of the Curia or Chancellor.

*Example: The Catholic Schools Office, upon its annual review of its records, finds standardized test results from seven years ago. The office's Records Coordinator checks the Records Retention Schedule and sees that the retention period for standardized test results is ten years. The Records Coordinator consults the appropriate personnel in the office and learns that the office does not think there is a reasonable likelihood that they will need to access those test results. Therefore, the Records Coordinator proposes to transfer the records to the Archives as inactive. During the remaining three years of the records' retention period, the Director of the Archives maintains them on CSO's behalf and does not permit any other office's personnel to access them without CSO's permission. Upon the expiration of the retention period, the Director of the Archives follows the procedure established in Section IV(C).*

Permanent records transferred to or acquired by the Archives shall be under the control and custody of the Director of the Archives rather than the office, department, or parish that created or held them prior to transfer to the Archives.

No records shall be destroyed or otherwise disposed of by an archdiocesan office, department, or parish unless the Director of the Archives has reviewed the list of records to be destroyed. No inactive records shall be destroyed by the Director of the Archives unless the originating office, department, or parish has approved the destruction, or as directed by the Moderator of the Curia or Chancellor.

## Section IV: Transfers to Archives; Disposal and Destruction of Records



### In General

Because the destruction of records is an irreversible act, safeguards must be put into place to confirm that valuable records are not erroneously destroyed. Such safeguards will also help ensure that it is legally permissible to destroy the records in question.

Documents should be retained for the full duration of the retention period established in the Archdiocese of Washington's Records Retention Schedule, and then for as long thereafter as they are needed for business reasons.

### Procedures for Archdiocesan Offices and Departments

Once per fiscal year, each office of the Central Pastoral Administration of the Archdiocese of Washington will review its records and will retain, destroy, or transfer records to the Archives as appropriate. In order to maintain a manageable workflow, the Director of Archives may stagger each office's annual review period at different times throughout the fiscal year. The Director may also approve, at his or her discretion, arrangements for particular offices to seek the Director's approval to destroy or transfer records on an ad hoc or more frequent basis.

Each office should identify the records in its possession as active, permanent, inactive, or disposable. Some records may be both active and permanent or inactive and permanent. The office should prepare an Archdiocesan Records Disposition Form identifying the records to be destroyed, the inactive and/or permanent records requested for transfer to the Archives, the quantity of the records, and their date span. The Secretary for the office, or in the case of an office without a Secretary, the office supervisor should sign the form and then forward it through the office's Records Coordinator in duplicate to the Director of the Archives.

*Example: The Records Coordinator for the Office of the General Counsel conducts her annual review of the office's files.*

*First, she finds a copy of a will related to a matter that was closed earlier in the year. The Records Retention Schedule designates wills to be retained permanently. Because the office does not anticipate needing to access the will, she marks the will as "inactive permanent" and enters it on the Archdiocesan Records Disposition Form (ARDF) for transfer to the Archives.*

## **SECTION IV: TRANSFERS TO ARCHIVES; DISPOSAL AND DESTRUCTION OF RECORDS**

*Next, she finds a letter sent from the General Counsel to the attorney for a plaintiff in an ongoing case against the Archdiocese. The Records Retention Schedule designates legal correspondence to be retained permanently. Because the office anticipates needing to access this correspondence, she marks it as “active permanent,” keeps it in OGC’s files, and omits it from the ARDF.*

*Then, she finds a lease that expired three years ago. The Records Retention Schedule designates leases to be retained for seven years after their expiration. Because the office does not anticipate needing to access the lease, she marks it as “inactive” and enters it on the ARDF for transfer to the Archives.*

*Last, she finds a printout of a letter of credit from seven years ago. The Records Retention Schedule designates letters of credit to be retained for seven years. She consults with appropriate personnel in OGC and determines that there is no reasonable likelihood of its use. Because the retention period for the record has expired, she marks it as “disposable” and enters it on the ARDF for destruction.*

The Director of the Archives will review the records disposition form upon receipt. If the list provided complies with the Records Retention Schedule and the terms of this policy, he or she will sign it. The Director of the Archives will retain one copy of the form permanently and return the other copy to the Secretary or office supervisor through the Records Coordinator.

Upon receipt of the approved form, the Records Coordinator will verify the contents and ensure that the records are promptly disposed of as indicated on the form, either by being destroyed (disposable records) or by transfer to the Archives (inactive or permanent records). The Records Coordinator, with the approval of his or her supervisor as necessary, may engage a third-party service provider to dispose of records as directed.

No records may be destroyed until the Director of the Archives returns the signed approval to the Records Coordinator. However, to make space in the office, the records proposed for destruction or transfer may be pulled from the filing area and set aside pending approval.

### **Procedure for the Director of the Archives**

At the end of each fiscal year, the Director of the Archives shall review all inactive records maintained in the Archives on behalf of the originating office or department, in order to determine whether any can or should be destroyed. For all records that the Director proposes for destruction, the Director will prepare a disposition list in duplicate and send it through the originating office’s Records Coordinator for approval. After the office supervisor signs the form and returns it to the Director, the Director will destroy the records. The Director and originating office will each retain a copy of the disposition list in their permanent files.

## **Procedure for Parishes**

All parishes will destroy disposable records annually. Parish staff will prepare a Parish Records Disposition Form identifying the records to be destroyed, the quantity of the records, and their date span. The pastor or administrator will sign the form and then retain it permanently in the parish files.

The pastor or administrator will ensure that the records are promptly destroyed. No records may be destroyed unless their retention period has passed and the records are listed on the disposition form.

If the disposable records contain confidential information, they must be destroyed in such a way to prevent unauthorized disclosure of the information. In most instances, this will mean shredding or burning. Disposable records not containing confidential information (and shredded records) may be recycled.

## **Maintenance and Destruction of Records Containing Sensitive Personally Identifiable Information**

Many records subject to record retention requirements contain sensitive personally identifiable information, or “PII” – information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context. Examples of PII include dates of birth, social security numbers, driver’s license identification numbers, passport identification numbers, credit card or bank account numbers, citizenship or immigration status, medical information, mother’s maiden name, or criminal history. These records may be protected by federal, state, and local statutes. The production, use, retention, and destruction of records containing PII must be consistent with archdiocesan policy and applicable law. Any Records Coordinator with questions about legal requirements regarding records containing PII or other highly sensitive information should contact the Office of General Counsel for guidance.

Notwithstanding any retention period established by the Records Retention Schedule, records containing unredacted PII must be destroyed within a year after the Records Coordinator in possession of them determines that there is no longer a reasonable likelihood of their use. If the Records Coordinator in possession of such a record identifies a reason to retain an inactive record containing PII, the Records Coordinator will redact the PII from the record. The Director of Archives may assist to ensure that redaction of information is properly carried out.

*Example: The Records Coordinator for the Catholic Schools Office conducts his annual review of the office’s files. He finds an incident report from five years ago containing PII in the form of a child’s date of birth and immigration status. Consulting with appropriate personnel in CSO, he anticipates no reasonable likelihood of needing to use the document. The Records Retention Schedule designates*

#### **SECTION IV: TRANSFERS TO ARCHIVES; DISPOSAL AND DESTRUCTION OF RECORDS**

*incident reports to be retained for seven years. He chooses to redact the PII from the document, mark it “inactive,” and enter it on the ADRF for transfer to the Archives.*

When records containing PII or other confidential information are destroyed, they must be destroyed in such a way to prevent unauthorized disclosure of the information. In most instances, this will mean shredding or burning. The Records Coordinator shall arrange for the appropriate method of destruction in consultation with the Director of Archives. Disposable records not containing PII or other confidential information (and shredded records) may be recycled.

### **Confidential Canonical Files (Canon 489)**

Pursuant to the Code of Canon Law, the Director of the Archives will ensure that the Archdiocese maintains a separate grouping of records that are of canonical value or great sensitivity and that need to be kept in conditions of maximum care and security.

The following types of records shall be included in such confidential canonical files:

- Records of canonical penal cases;
- Records pertaining to dispensations granted from occult marriage impediments in the internal but non-sacramental forum;
- Records pertaining to marriages celebrated secretly;
- Records pertaining to canonical warnings or admonitions;
- Records that are part of a preliminary investigation for a canonical penal process that was closed without formal trial; and
- Records relating to other matters that the Archbishop deems to be of greater sensitivity and necessary for confidential retention pursuant to the Code of Canon Law.

### **Special Circumstances; Records of Historical Value**

No record may be destroyed unless it is covered on the Records Retention Schedule and has passed its full retention period. Any office having a record that is not covered by the Records Retention Schedule should contact the Director of the Archives to have a retention period set for that record.

For any record, regardless of its retention period on the Records Retention Schedule, that may be of significant historical value to the Archdiocese, the office in possession of the record should consult with the Director of the Archives on how to best preserve the record. The Director may request its immediate transfer to the Archives.

## **Nonrecord Items**

Nonrecord items include items such as extra/duplicate copies of documents, reference materials, superseded drafts, or working files. Such items are not subject to records retention and disposition policies and may be destroyed when no longer needed. However, for particularly important records, it may be prudent to retain extra copies, should the original record be lost or destroyed.

## Section V: Electronic Records

### Section

# V

### In General

Electronic records are just as much a record as any traditional paper record, and retention practices for electronic records must observe the same legal requirements as for paper records. For the purposes of this Policy, Archdiocesan email that is stored solely on its host server is *excluded* from the definition of Archdiocesan Record. However, Archdiocesan email that is printed out into hard copy, or saved on a local or shared archdiocesan drive, is to be considered an Archdiocesan Record for the purposes of this Policy.

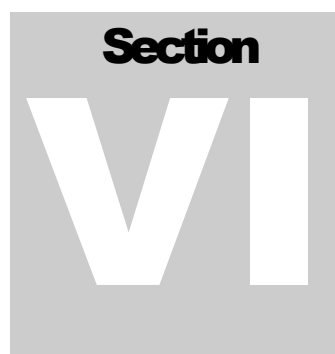
Because of the difficulties presented by the volume of electronic records that many parishes and offices produce and receive, the recommended best practice for retention of electronic records is to use a computer program to automatically archive all records that have not been accessed for ten years, and to retain those archives permanently. The Director of Archives shall assist in the implementation of such a program. Archdiocesan offices, departments, or parishes that wish to adopt alternative methods of retaining electronic records should work with the Director of the Archives, who may solicit assistance from the Department of Information Technology.

### Electronic Records Intended for Destruction

The one exception to the recommendation to retain electronic records permanently regards electronic records containing PII – in other words, electronic records that must be destroyed once there is no longer a reasonable likelihood of using them. Staff should seek to minimize the volume of electronic records containing such information and should keep such records separate from records that do not contain PII. Parishes' and archdiocesan offices' annual review of their records, as required by this policy, should include the identification and destruction of electronic records that must be destroyed because they contain PII. Archdiocesan offices and departments should include such records on the disposition list submitted to the Director of the Archives for review and approval.

Parishes and archdiocesan offices should contact the Director of Archives for assistance in complying with these requirements.

## Section VI: Records Intended for Permanent Preservation



### Form of Record

An electronic record printed and submitted to the Director of Archives for permanent preservation should be printed on acid-free paper. If an original record submitted to the Director of Archives is not on acid-free paper, the Director may copy the record onto acid-free paper and retain both.

### Dual Storage of Permanent Records

Because digital files are in some ways more prone to deterioration, corruption, or loss than physical files, any electronic record that, under the Records Retention Schedule, must be retained permanently should be printed out and transferred to the Archives in accordance with the procedures set out in this policy. Similarly, to mitigate the risk of loss or destruction, hard copies of permanent records should be scanned and retained electronically when possible.

### Filing Equipment for the Central Pastoral Administration

The Director of the Archives is responsible for reviewing all requests for the purchase of filing equipment made by offices or departments of the Central Pastoral Administration. This review will ensure that the purchase of new equipment is absolutely necessary and will help monitor compliance with this policy's directive to destroy disposable records.

All archdiocesan administrative offices will notify the Director of the Archives of the amount and type of filing equipment they plan to purchase. The Director of the Archives will then schedule a meeting, if necessary, with the submitting office or department to discuss the need for the purchase.

If the Director of the Archives determines that existing resources cannot meet the office or department's needs, the Director will sign off on the purchase plan. The office or department will then follow normal purchasing procedures. If the Director of the Archives determines that existing resources can meet the office or department's needs, then he will aid the office or department by providing a plan for solving the records storage problem with the existing resources.