

BMA Records Management Policy

Overview

The Baltimore Museum of Art (the “Museum” or the “BMA”) requires that its records be managed in a systematic and logical manner according to plans developed by the BMA and consistent with applicable law.

Records created by staff members during performance of their jobs are the property of the Museum, regardless of format. This policy applies to all Museum staff and departments and all records, regardless of whether such records are maintained in hard copy, electronically, or in some other format.

The Museum’s Archivist will collect and manage inactive records of enduring value for the Museum. Museum departments will act in partnership with the Archivist to prepare and transfer records documenting their operations.

Records Retention and Disposition

The BMA Archives has developed records retention and disposition schedules in consultation with BMA staff, Deputy Directors, Director of the Museum, and outside legal counsel based on records management best practices. Employees will review their Departmental Retention Schedule in conjunction with the General Schedule, which applies to records that are typically produced by all departments. For each record series, the Archivist has provided a period of time during which records should remain in an office, along with instructions for transfer to the offsite Records Center or the Archives, and/or recommendations for destruction when the retention period elapses for records that become obsolete. In the event a record is not listed in the General Schedule of the Departmental Retention Schedule, contact the Archivist to determine the appropriate retention period for such a record.

Always consult the Archivist before disposing of any material older than 20 years. The Archivist will cross check your historic records against the Archives’ holdings and may retain the materials for permanent preservation regardless of whether your department created the records.

Annually, departments should discard documents consistent with retention periods for their department. Confidential or sensitive records should be securely shredded. All backup and archive copies of a record must be destroyed when the original is destroyed, unless the Archivist determines otherwise. Personal hard disks, home computers, home files, and all other records must also be purged in accordance with these guidelines.

Extensions, Changes, and Periodic Revisions

The Archivist may temporarily extend retention periods for specified record series under any of the following circumstances:

- Retention periods for the records are under review for possible revision;

- Records are needed for additional reviews, or other operations including pending or ongoing litigation, government investigation, audits or reasons determined by the Museum on the advice of legal counsel that would normally be completed within the prescribed retention period; or
- Records are needed for exceptional reasons that were not foreseen at the time the retention periods were determined.

If a department requires a one-time extension or believes that a prescribed retention period is no longer suitable for the needs of the office, it must submit a written request to the Archivist with the record series title, description of the activities and operations associated with the record series, an explanation of why the current retention period does not reflect the needs of the department; and a suggestion for a revised retention period.

Above all, the retention schedules are designed to meet the changing needs of the Museum and will be reviewed periodically to add or delete a record series or to change retention periods. Departments must notify the Archivist when any of the following occurs:

- A new record series is created
- An existing record series is not properly identified
- An existing record series has been reorganized or divided
- A record series included in the retention schedule has been discontinued
- Legal, regulatory or other developments warrant reconsideration of retention periods.

Compliance

Federal and state laws and regulations require that the Museum maintain certain types of records for a specified period of time. Failure to retain records for such specified time periods could subject the BMA to penalties and fines, cause the loss of rights, or result in other negative consequences (Including contempt of court charges and serious disadvantages in litigation).

All departments must comply with the Museum's retention schedules by keeping records for the full duration of the retention period and destroying documents in a timely manner once the retention period has elapsed, unless otherwise specified in this policy. If specific departmental records are pertinent to pending or ongoing litigation, government investigation, audits, or reasons determined by the Museum on the advice of legal counsel, the Archivist or Director of the BMA may issue a notice suspending the destruction of pertinent records and all relevant records must be retained and scheduled records destruction shall be suspended immediately. If such a notice is issued, no records may be destroyed, even if the scheduled destruction date has passed, until the notice is formally withdrawn.

Federal and State law prohibits the destruction of documents, including the deletion of emails or voicemails, which may contain information relevant to pending or ongoing investigations, litigation, and similar proceedings. If a department is aware of a potential, pending, or ongoing investigation or litigation, and the department possesses records that may contain relevant material, please notify the Archivist immediately. Do not destroy these records unless authorized by the Director of the BMA.

Any violations of this policy should be reported immediately to the Archivist or the Director of the BMA.

Failure to comply with this policy could result in disciplinary action up to and including dismissal or termination of employment, as applicable.

SAA Museum Archives Section Working Group Example