## VP Treasurer will download, edit, and distribute to relevant individuals and offices

## PRESERVATION NOTICE

**Date**: <date>

**From**: Lorraine Arvin, Vice President/Treasurer

**cc**: Marty Ringle, Chief Information Officer

**To**: <name(s)>

Re: Preservation of Relevant Digital Materials and Paper Documents in the matter of:

**< identifier of the matter e.g., “John Doe case”>**

<Optional: Brief statement identifying or providing context for the matter>

This *Preservation Notice* is intended to serve as a reminder of the college’s obligations to preserve potentially relevant paper and electronic documents related to this matter. These obligations are continuing and ongoing. Please note that this is a confidential legal matter that should not be discussed with anyone other than me, <insert other names as appropriate> or Marty Ringle.”

If a claim is filed in this matter, the college may be required to make certain of its paper files and electronically stored information available to our attorneys and the claimant’s attorneys. **It is crucial that you preserve both paper documents and electronically stored information that are potentially relevant to this matter and that are in your custody or control**. The failure to preserve these materials could be detrimental to our position and could result in penalties imposed upon the college and/or you by a court. We require you to take steps to preserve, without alteration, digital materials stored on all devices, media, or cloud services, whether college-provided or personally-owned, that may be relevant to this matter. In addition, you must not destroy or alter any paper documents, such as notes, forms or paper files related to this matter. **At this time, your only obligation is to ensure that any records, documents or information that may be relevant are saved and not altered**. We will follow up as needed with more information as this matter proceeds, including advising you if the college needs to collect additional digital materials or paper documents from you.

It is important that all potentially relevant documents in your possession and in the possession of the college be preserved in the original format if possible. You are required to suspend any scheduled destruction, archiving, or deletion of documents related to this matter until you specifically have been advised that you are authorized to do so. In addition, if you are aware of other documents that may be relevant but which you do not currently have access to, please inform my office.

If you believe that any digital materials related to this matter are stored on your personally-owned devices, personal email, or personal cloud services, please notify this office and the Chief Information Officer so we can advise you of your rights and responsibilities with regard to those materials. **You should preserve those materials and not alter them**.

Since it is early in this matter, it is difficult to determine what information may or may not be relevant.  However, at a minimum, you should preserve all paper and electronic materials that you have in your possession, <created or amended during <specify the time period>> that:

* refer to <insert name or list of names> by name, title, or description
* were sent to or from <insert name or list of names>
* relate to any student or employee involved in the matter as an actor, witness, or in another capacity
* relate to any employees in <insert name or list of names>’s department and/or discuss their duties and performance
* relate in any manner to <insert name or list of names>’s performance or termination, including to any event in which <insert name or list of names>’s was investigated, disciplined or counseled <add other matters pertinent to case as needed>.

If you have any doubt as to whether a document might be relevant, preserve it. Do not delete or dispose of it. You should retain the documents in a place where they can be easily located upon request.

Marty Ringle, Reed's Chief Information Officer, has been notified of this preservation notice and is involved in ensuring that electronic records stored on college computing resources are preserved. If you have any questions or need assistance with preserving relevant digital materials, please contact me or Marty.

<As appropriate: Insert name of individual coordinating preservation of paper materials.>

## 

## VP Treasurer will distribute this form with each Preservation Notice

## THIS DOCUMENT IS PROVIDED UNDER ATTORNEY-CLIENT PRIVILEGE AND SHOULD BE CONSIDERED CONFIDENTIAL

## Personally Owned Devices and/or Cloud Services

Reed employees should not use personally-owned devices or cloud service accounts for college business if at all possible. However, there may be times when such use occurs. If you believe that digital materials related to this matter have been stored on your personal devices, personal email account, or personal cloud service(s) please check the appropriate box below, provide requested information as appropriate, sign, and return this form to the Office of the Vice President and Treasurer.

With regard to the matter identified as:

<insert name or description of case>

[ ] I believe there may be digital materials relevant to this matter that are stored on one or more of my personally owned devices or personal cloud service accounts and **I grant permission** to the college, its legal counsel, or other representatives to access these devices and/or services as listed below:

[ ] I believe there may be digital materials relevant to this matter that are stored on one or more of my personally owned devices or personal cloud service accounts but I **Do** **Not** grant permission to the college, its legal counsel, or other representatives to access these devices and/or services.

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| **No.** | **Device or Cloud Service** |  |  | **Location of Use**  Home, office, travel, all? |
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**Employee Signature and Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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## RECORD OF COMPLIANCE

I was assigned responsibility by Reed College to search for and preserve specified documents related to the matter of

<insert case name or identifying description>

In accordance with instructions, procedures, and directions received from the representative(s) of the Vice President and Treasurer and the Chief Information Officer, I conducted a diligent and good faith search of the electronic and paper files and records within my purview and/or directed others to do the same.

To the best of my knowledge, all existing documents maintained in college or personal files that are responsive to the preservation notice have been provided to the Vice President and Treasurer, the Chief Information Officer, or their appointed representative(s). I am aware of no materials within my purview that are responsive that have not been thus provided, and I have no reason to believe that any such documents exist.

Signature Date

Printed Name, Title/Office

**Files For Which I Was Assigned Preservation Responsibility**

<insert description of materials or specific list of documents>