

2007.

ADMINISTRATIVE REGULATIONS ON RETENTION  
AND DESTRUCTION OF RECORDS

2007.1

Responsibility

- A. The Superintendent-President, or designee, shall be responsible for the implementation of all regulations regarding the retention and destruction of District Board-related records, and other records maintained in the Superintendent-President's Office.
- B. The Vice President, Academic Affairs, or designee, shall be responsible for the implementation of all regulations regarding the retention and destruction of academic records.
- C. The Vice President, Business Services, or designee, shall be responsible for implementation of all regulations regarding the retention and destruction of fiscal and facilities records.
- D. The Vice President, Human Resources, or designee, shall be responsible for the implementation of all regulations regarding the retention and destruction of personnel records.
- E. The Vice President, Student Support Services, or designee, shall be responsible for the implementation of all regulations regarding the retention and destruction of student records.
- F. Each department and its individual employees shall be responsible for the implementation of all regulations regarding the retention and destruction of email records.

2007.2

Definitions

"Records" are as defined in section 59020 of Title 5.

Class 1 - Permanent Records

In general, a Class 1 permanent record is the original document, or an exact copy, if the original is required by law to be filed with another agency. Whenever an original document or exact copy as described above has been microfilmed or electronically stored, the filmed or electronically stored document is classified as Class 1 and the original or copy from which it was filmed is reclassified as Class 2 or 3, as appropriate.

## Class 2 - Optional Records

Class 2 optional records are those records that are not required by law to be retained permanently, but are deemed worthy of further preservation by the District. When no longer deemed worthy of preservation, they may be reclassified as Class 3 records and destroyed.

## Class 3 - Disposable Records

Class 3 disposable records are those records which are other than Class 1 or Class 2 and which also have a retention period and destruction requirements as described in later sections.

## Class 4 - Nonrecords

The following documents are classified as “nonrecords” and can be destroyed at any time:

- Duplicated copies of an original (except the exact copy requirement if the original is forwarded). (For example, a person receiving a duplicate copy of an original is not required to retain it.)
- Individual memoranda except those relating to personnel matters or a student record.
- Advertisements, brochures, magazines and other periodicals received.

## Email Records

Email records are those records transmitted and received through the District’s email system. Email records are divided into two categories:

- Transitory messages.
- Lasting value messages.

## 2007.3

### Classification of Records

Records are generally grouped into two categories, continuing and those originating during the last academic year.

- A. Continuing records are those records which are active and useful for administrative, legal, fiscal, or other purposes over a period of years, and they shall not be categorized until such usefulness has ceased.

- B. At the end of each academic year, each responsible area administrator shall review documents and papers received or produced during that year and classify them as Class 1 - Permanent, Class 2 - Optional, Class 3 - Disposable, or Class 4 - Nonrecords.

Each responsible area administrator shall maintain a current listing of all documents, and their classifications, for which they are responsible. They shall also indicate the year in which Class 3 - Disposable records are to be destroyed.

Title 5 CCR 59022(e) states that whenever an original record is photographed, microphotographed, or otherwise reproduced on film, the copy made is classified as Class 1 – Permanent. The original record, unless classified as Class 2 – Optional, may be classified as Class 3 – Disposable and may be destroyed if the following conditions have been met:

- The reproduction was accurate in detail
- The chief executive officer, or other designee, has attached to or incorporated in the copy or system a signed and dated certification of compliance with the provisions of the section 1531 of the Evidence Code, stating in substance that the copy is a correct copy of the original, or a specified part thereof, as the case may be
- The copy was placed in an accessible location and provision was made for preserving permanently, examining and using same
- In addition, if the record is photographed or microfilmed, the reproduction must be on a film of a type approved for permanent, photographic records by the United States Bureau of Standards

2007.4      Required Permanent Records

The following records must be classified as Class 1 - Permanent:

- A. Annual Reports:
1. Official final budget (CCFS 311).
  2. Financial report of all funds, including Auxiliary and student body funds.
  3. Annual Audit Report of all funds.
  4. Full-time equivalent students.

5. Other major annual reports, including those containing information relating to property, activities, financial condition or transactions, and those declared by Board minutes to be permanent.

B. Official Actions:

1. Minutes of the Board of Trustees or committees thereof, including the text of a rule, regulation, policy, or resolution not set forth verbatim in minutes but included therein by reference only.
2. Elections, including the call, if any, for and the result of an election called, conducted or canvassed by the governing board for a board member, the board member's recall, issuance of bonds, incurring any long-term liability, change in maximum tax rates, reorganization, or any other purpose.
3. Records transmitted by another agency that pertain to that agency's action with respect to district reorganization.

C. Personnel Records:

All detail records relating to employment, assignment, employee evaluations, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave record, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid.

In lieu of the detail records, a complete proven summary payroll record for every employee of the District containing the same data may be classified as Class 1 - Permanent, and the detail records may then be classified as Class 3 - Disposable.

D. Student Records:

1. Records of enrollment and scholarship for each student. Such records may include but need not be limited to name, student identification number date of birth, place of birth, entering and leaving date for each term, subjects taken, and grades and credits awarded.
2. All records pertaining to any accident or injury involving a student for which a claim for damages has been filed as required by law, including any policy of liability insurance relating thereto, except that these records cease to be Class 1 - Permanent, one year after the claim has been settled or after the applicable statute of limitations has run.

E. Property Records:

All detail records relating to land, buildings, and equipment. In lieu of such detail records, a complete property ledger may be classified as Class 1 - Permanent, and the detail records may then be classified as Class 3 - Disposable, if the property ledger includes:

1. All fixed assets.
2. An equipment inventory.
3. For each unit of property, the date of acquisition or augmentation, the person from whom acquired, and adequate description or identification, and the amount paid, and comparable data if the unit is disposed of by sale, loss, or otherwise.

F. Bond Records:

1. The IRS requires bond issuers to have adequate documentation to substantiate eligibility of tax-exempt bonds status for the life of the bonds, approximately thirty five (35) years.
2. To support the bond positions, material records will be kept for thirty five (35) years, plus five (5) years after the final redemption date of the bonds, and not less than 40 years.

2007.5

Retention of Records

A. Class 1 - Permanent

The original of each permanent record shall be retained indefinitely unless microfilmed or electronically stored, after which it can be reclassified as Class 3 - Disposable.

B. Class 2 - Optional Records

1. Any record worthy of further preservation but not classified as Class 1, shall be retained until reclassified as Class 3 - Disposable.
2. District or grant documents and supporting document information are Class 2 Financial records, unless otherwise noted. They must be retained for a period of three (3) years from the date of submission of the final expenditure report and not less than seven (7) years. These records are not required by law to be retained permanently, but are deemed worthy of further preservation by the

District. When no longer deemed worthy of preservation, they may be reclassified as Class 3 records and destroyed.

3. General Obligation Bond records and supporting document information must be retained for a period of fifteen (15) years from the date of the final expenditure and not less than forty (40) years.

C. Class 3 - Disposable Records

1. Generally a Class 3 - Disposable Record, unless otherwise specified, should be destroyed during the third school year after the school year in which it originated (e.g., 1986-87 plus 3 = 1989-90).
2. Class 3 – Records, basic to an annual audit, shall not be destroyed until after the third July 1 succeeding the completion of the annual audit required by the Education Code or of any other legally required audit, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.

D. Class 4 - Nonrecords

Nonrecords may be destroyed at any time and do not have to be retained for any period of time.

E. Continuing Records

A continuing record shall not be destroyed until the third year after it has been classified as Class 3 - Disposable.

F. Email Records

Backup copies of email records shall be destroyed at regular intervals (30 days) unless individual employees save them as lasting value records by moving them to dedicated storage on the District's networked file systems. Email records stored within an individual user's email folder are considered transitory records and will be treated as such.

2007.6      Destruction of Records

- A. Annually, each responsible area administrator shall submit to the Board of Trustees through the Superintendent-President, a list of records recommended for destruction and shall certify that no records are included in the list in conflict with these regulations.

B. Each responsible area administrator shall supervise the destruction of Class 3 records within his or her area of responsibility.

C. Email Records

Transitory Messages – Most email and usually all instant messaging records are created primarily for routine communication or information exchange. Examples of transitory messages are: 1) notices about meetings or events, 2) internal requests for information, 3) inquiries about department course offerings or scheduling issues, 4) announcements. These messages will be considered transitory messages that do not have lasting value and should be:

1. Read and promptly deleted; or
2. Read and retained on the District's email server until their usefulness has ended and then be promptly deleted; or
3. Read and moved off the District's email server when job requirements necessitate retention for periods longer than the default retention period, and then promptly deleted when their usefulness has ended.

Lasting Value Messages – When the contents of an email exhibits one or more of the following characteristics, it should be considered as having lasting value:

1. Has operational value and is required by a department to perform its primary function.
  - Administrative actions taken or planned.
  - Reports or recommendations.
  - Policies, procedures, guidelines, rubrics, or templates.
2. Has legal or evidential value and is required to be kept by law.
  - Falls within a litigation hold or internal investigation.
3. Has fiscal value related to the financial transactions of the District.
  - Required for financial reporting and audits.
4. Has historical significance of long-term value to document past events.

- May arise from exceptional age and/or some significant historical event.
5. Has vital value and is critical to maintain to ensure operational continuity after a disruption or disaster.
    - Vital records or information may fall into any one of the above value categories.

Questions about the proper classification (transitory or lasting value) of a specific message, record or piece of information should be directed to the employee's manager. Only the department responsible for retention of a specific type of information or record shall store and control the disposition of email records.

Email systems are not designed to be records retention or document management systems. Email messages that have lasting value should:

1. Be moved to dedicated storage on the District's networked file systems, and
2. Not be stored within individual users' email folders/files.

D. The Board of Trustees shall:

1. Approve or disapprove the recommendation of the Superintendent-President.
2. Order a reclassification when necessary or desirable.
3. Order by action recorded in the minutes, with lists attached, the destruction of records in accordance with these regulations.

E. Manner of Destruction:

Upon the order of the Board of Trustees that specified records shall be destroyed, such records shall be permanently destroyed by such foolproof methods as shredding, burning, or pulping, and such destruction shall be supervised by the Superintendent-President or designee. The destruction of email records does not require specific Board action.

Adopted April 14, 1992  
Revised: May 24, 2011; March 27, 2019