

# **Coast Community College District ADMINISTRATIVE PROCEDURE**

## **Chapter 3 General Institution**

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### **AP 3310 RECORDS RETENTION AND DESTRUCTION**

#### **References:**

Title 5 Sections 58031, 59020 –59033

“Records” means all records, maps, books, papers, data processing output, and documents of the District required by law or official duty to be retained, including but not limited to records created originally by computer and “electronically stored information” (“ESI”).

The Chancellor delegates to each College President the responsibility to supervise the classification and destruction of records in accordance with Title 5 Sections 59020-59033.

Destruction is by any method that assures the record is permanently destroyed, e.g. shredding, burning, and pulping.

The Chancellor, and by the Chancellor's delegation, Vice Chancellor Finance and Administrative Services, and the College Presidents or their designees, shall be responsible for the preservation and destruction of records maintained at each College in accordance with California Code of Regulations, Title 5 Sections 59020 –59033.

The District shall review documents and papers received or produced following the conclusion of each academic year and shall classify them as:

- Class 1 - Permanent
- Class 2 - Optional, *or*
- Class 3 - Disposable.

As an exception to the provision above, records that are active and useful for administrative, fiscal, legal, or other purposes for a number of years shall not be classified until such usefulness has ceased. Each record file or container shall list the classification of the documents contained therein. If a record file or container contains Class 3 - Disposable records, it shall be marked with a destruction date/year in which it shall be destroyed. Records originating during a current academic year shall not be classified during that year.

Prior to the destruction of a record under any classification, the District or the College, as applicable, shall list all records considered for destruction on a "Records Destruction Log" form provided by the District. The Records Destruction Log shall set forth a brief

description of the document(s) to be destroyed, the date of the document(s), and the classification of the document.

The Chancellor, Vice Chancellor Finance and Administrative Services, the applicable College President, or their designees, shall submit to the Board a list of records recommended for destruction, and shall certify that no records are included in the list which are in conflict with Title 5 Records Retention and Destruction Regulations.

This list of records shall be placed on the Consent Calendar section of the Board Agenda for the Board's consideration and approval (Title 5, Section 59027, 59028). The Board may approve or disapprove the destruction recommendations, order a reclassification of some or all records, and shall attach the list of records to be destroyed (Records Destruction Log) to its minutes (Title 5, Section 59028).

Upon the order of the Board that specified records shall be destroyed, such records shall be permanently destroyed by such foolproof methods as shredding, burning, or pulping. The destruction of such records shall be supervised by the Chancellor, Vice Chancellor Finance and Administrative Services, or applicable College President, or their designee.

## **RECORDS CLASSIFICATION**

### **I. CLASS 1 – Permanent Records** (Title 5, Section 59023)

Are retained indefinitely – unless copied or reproduced in accordance with Title 5, Section 59022(e). Examples of Types of Class 1 Records

The following Annual Reports:

- Official Budget
- Financial Report of all funds, including cafeteria and student body funds
- Audit of all funds
- FTES Student, including Period 1 and 2 reports, and other major Annual Reports, including those containing information related to:
  - Property
  - Activities
  - Financial Condition
  - Transactions
  - Those declared by the Board Minutes to be permanent

Official Actions:

- Minutes of the Board or committees thereof
  - Text of a policy or resolution not set forth verbatim in the minutes (but only referenced).
  - Board and Committee resolutions are Class 1 records.
- Elections, including the call, if any, for and the result of an election (but not detailed, i.e. ballots) called, conducted or canvassed by the 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; and records transmitted by another agency related to this District's reorganization.

#### Human Resources – Following Personnel Records - All detail records relating to:

- Employment
- Assignment
- Employee evaluations
- Amounts and Dates of Service rendered
- Termination and dismissal of employee in any position
- Sick leave records
- Rate of compensation (salaries, wages, deductions withholdings and to whom paid (a complete proven summary payroll record for every employee may be substituted for detail records – if consistent with whole District detail would then be Class 3 - Disposable)

#### Student Records

- Records of enrollment and scholarship for each student (including):
  - Name of student
  - Date of Birth
  - Place of Birth
  - Name and address of a parent having custody or a guardian (if minor)
  - Entering and leaving date for each academic year and summer/other sessions
  - Subjects taken each year, half-year, summer/other
  - Grades or credits given, toward graduation

#### Claims/Accidents/Injury

- All records pertaining to any accident or injury involving a student for which a claim for damages has been filed as required by California law, including any policy of liability insurance relating thereto. (except these records cease to be Class 1 - Permanent Records one year after the claim has settled or after the SOL has run)

#### Property Records

- All detail records related to:
  - Land
  - Buildings
  - 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:
    - All fixed assets

- An equipment inventory
- And for each unit of property
  - the date of acquisition
  - from whom acquired
  - adequate description or identification
  - amount paid
  - comparable data if property lost, sold or disposed of

## II. **CLASS 2 – Optional Records** (Title 5 Section 59024)

Any record worthy of further preservation, but not classified as Class 1-Permanent, may be classified as Class 2-Optional, and shall then be retained until reclassified as Class 3-Disposable.

If the Chancellor, or designee, determines that classification should not be made by the time specified in Title 5 Section 59022, all records of the prior year may be classified as Class 2-Optional, pending further review and classification within one year.

### **Examples:**

Job applications, "B" warrants listings and summaries, cancelled checks (revolving, clearing accounts), cash receipts\deposits, Purchasing Bids, W-4 withholding allowances certificates.

### **How Long Are Class 2 Records To Be Retained:**

Class 2 records should be destroyed during the 3rd year after the record was designated as a Class 3 record.

## III. **CLASS 3 – Disposable Records** (Title 5 Section 59025)

All records, other than "continuing records", not classified as Class 1 - Permanent Records or Class 2 - Optional, shall be classified as Class 3 - Disposable, including, but not limited to, detail records relating to:

- Records basic to Audit
  - Including attendance, FTES Student
  - Business or Financial Transactions
    - Purchase orders
    - Invoices
    - Ledger sheets
    - Warrants
    - Cancelled checks and stubs
    - Student Body and Cafeteria fund records
    - Detail records used in the preparation of any other report
- Periodic reports, such as
  - Daily
  - Weekly

- Monthly
- Bulletins
- Instructions

### **How Long Class 3 Records Are To Be Retained:**

Class 3 - Disposable Records should be destroyed during the 3rd year after the year in which they were originated (e.g. 1993-94 + 3 = 1996-1997 is the year record destroyed):

- Federal Programs (student aid, etc.) may require longer retention periods
  - take precedence over the three-year rule
- Audit records – destroyed 3 years after the third July 1st following completion of audit
  - (e.g. Audit of 1994 completed February 1994 – would be destroyed after July 1, 1997)

### **RECORDS DESTROYED BY CALAMITY**

Whenever in any academic year the register of any instructor, or other records of the District are destroyed by conflagration or public calamity, preventing the instructor and college officers from making their annual reports in the usual manner and with accuracy, affidavits of the instructor, the president, or other officers of the District, certifying as to the contents of the destroyed register or other records, shall be accepted by all college authorities for all purposes pertaining to the District, except that of calculations of full-time equivalent students (FTES).

Whenever the FTES of the District has been materially affected in any academic year by conflagration, public calamity, or epidemic of unusual duration and prevalence, the regular annual reports of the instructor, the president, or officers of the District, shall be accepted by all college officers for all matters pertaining to the district, except that of FTES.

Whenever any attendance records of the District have been lost or destroyed by conflagration or public calamity, making it impossible for an accurate report on FTES for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Board of Governors by the affidavits of the members of the Board of the district, the Board of Governors shall estimate the FTES of the District. The estimated FTES shall be deemed to be the actual FTES for that fiscal year for the making of apportionments to the District from the State School Fund.

## **ALTERNATE MEDIA FORMS FOR RECORDS RETENTION**

### **Electronic Records/Optical Disk Requirements**

Records stored on alternate media may be retained in lieu of the record itself. This would require the alternate media contain accurate detail, copies of signatures, and have a dated certification. These records should be readily accessible and permanently preservable (for Class 1). Class 1 originals in paper form may be destroyed after the hard copy is scanned or imaged.

### **EMAIL RETENTION**

Understanding that email is a transitory, transportation mechanism and is not designed for long-term information storage, it is the responsibility of employees creating Class 1 and Class 2 records to ensure that they are stored in an appropriate mechanism in order to comply with retention and destruction requirements of this Administrative Procedure. Examples include, but are not limited to electronic document management systems, network share drives, SharePoint, or paper.

All email entering or egressing the District's "live" email system is also simultaneously sent to an "archive" system. Emails will be retained in the "live" system indefinitely until a maximum mailbox capacity of 40GB is exceeded. Once a mailbox has exceeded the 40GB limit, the user will no longer be able to receive or send email until the total size is reduced below 40GB. The email archives are not subject to size limits and are retained indefinitely.

Should a mailbox capacity of greater than 40GB be required, a written request for additional storage, including justification, must be presented to the Chancellor or College President, for approval.

Nothing in this section of this Administrative Procedure shall be interpreted to require the District, or any District employee, to retain emails that otherwise are not required to be retained.

Ratified December 2, 2013

Ratified May 16, 2018