

DESTRUCTION OF DISTRICT RECORDS	2600
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The Superintendent/President shall establish administrative procedures that comply with Title 5 to assure the retention and destruction of all District records, including but not limited to student records, employment records, and financial records.

Ref. CCLC 3310

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Article 1 - General Provisions

Definition of Records

As used in this policy, "records" mean all records, maps, books, papers, data processing output, and documents of a community college district including but not limited to records created originally by computer, required by Title 5 to be retained. "Records" include "student records" as defined in Section 76210 of the Education Code and subsection (c) of Section 54606 of this title.

The Superintendent/President or designee shall supervise the classification and destruction of records. An annual report shall be made to the Board of Trustees regarding the classification and destruction of records.

Records shall be classified as required by Title 5 and other applicable statutes, federal and state regulations.

Records shall annually be reviewed to determine whether they should be classified as Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable (as defined in Title 5).

Class 3 – disposable records shall be maintained for the period required by applicable law or regulation, but in any event shall be retained for at least three (3) college years after the year in which they were originally created.

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

The following documents are not "records" and may be destroyed at any time:

1. Mimeographed, otherwise duplicated, or carbon copies, except the original or one copy. (A person receiving a duplicated copy need not retain it.)
2. An individual memorandum, other than one relating to personnel matters, or other than a student record, between one employee and another employee of the District.
3. Advertisements and other sales material received.
4. Textbooks, maps used for instruction, and other instructional materials, including library books, pamphlets, and magazines.

Scope of Policy

The provisions of this policy apply only in the event that the destruction or retention of records by the District is not otherwise authorized or provided for by law.

Classification of Records

1. Prior Year Records - Before January 1, the Superintendent/President or designee shall review documents and papers originating during the prior school year and classify them as:

Class 1--Permanent

Class 2--Optional

Class 3--Disposable

2. Records Not Classified Before July 1, 1976 - All records not classified prior to July 1, 1976, are subject to the same review and classification as in (1). If such records are three (3) or more years old and classified as Class 3--Disposable they may be destroyed without further delay, but in accordance with Article 3.
3. Current Year Records - Records originating during a current academic year shall not be classified during that year.
4. Continuing Records - Records of a continuing nature, i.e., active and useful for administrative, legal, fiscal, or other purposes over a period of years, shall not be classified until such usefulness has ceased.
5. Microfilm Copy - Whenever an original Class 1--Permanent record is photographed, microphotographed, or otherwise reproduced on film, the copy thus made is hereby classified as Class 1--Permanent. The original record, unless classified as Class 2--Optional, may be classified as Class 3--Disposable, and may then be destroyed in accordance with this chapter if the following conditions have been met:
 - a. The reproduction was accurate in detail and on film of a type approved for permanent, photographic records by the United States Bureau of Standards.
 - b. The Superintendent/President or designee has attached to or incorporated in the microfilm copy or system a signed and dated certification of compliance with the provisions of 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.
 - c. The microfilm copy was placed in an accessible location and provision was made for preserving permanently, examining and using same.

Article 2 -- Period of RetentionClass 1--Permanent Records

The original of each of the records listed in this section, or one exact copy thereof when the original is required by law to be filed with another agency, is a Class 1--Permanent record and shall be retained indefinitely, unless microfilmed in accordance with Title 5. (No. 5 under Classification of Records)

Annual Reports:

1. Official budget.
2. Financial report of all funds, including cafeteria and student body funds.
3. Audit of all funds.
4. Full-time Equivalent Students (FTES), including Period 1, Period 2 and, annual reports as well as all corrections.
5. Other major annual reports, including:
 - a. Those containing information relating to property, activities, financial condition, or transactions.
 - b. Those declared by Board minutes to be permanent.

Official Actions:

1. Minutes of the Board or committees thereof, including the text of a rule, regulation, policy, or resolution not set forth verbatim in the minutes but included therein by reference only.
2. Elections, including the call, if any, for and the result (but not including detail documents, such as ballots) of an election 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.
3. Records transmitted by another agency that pertain to that agency's action with respect to District reorganization.

Personnel Records of Employee:

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 then be classified as Class I--Permanent, and the detail records may then be classified as Class 3--Disposable.

Student Records:

1. The records of enrollment and scholarship for each student. Such records of enrollment and scholarship may include but need not be limited to:
 - a. Name of student
 - b. Date of birth
 - c. Place of birth
 - d. Name and address of a parent having custody or a guardian, if the student is a minor
 - e. Entering and leaving date for each academic year and for any summer session or other extra session
 - f. Subjects taken during each year, half year, summer session or quarter
 - g. If grades or credits are given, the grades and number of credits toward graduation allowed for work taken
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 I--Permanent records, one (1) year after the claim has been settled or after the applicable statute of limitations has expired.

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 I--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, an adequate description of identification, and the amount paid, and comparable data if the unit is disposed of by sale, loss, or otherwise.

Class 2--Optional Records

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 Superintendent/President or other designee determines that classification should not be made by the time specified, all records of the prior year may be classified as Class 2--Optional, pending further review and classification within one (1) year.

Class 3--Disposable Records

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

1. Records basic to an audit, including those relating to attendance, average daily attendance, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets, canceled checks and stubs, student body and cafeteria fund reports, etc.), and detail records used in the preparation of any other report.
2. Periodic reports, such as daily, weekly, and monthly reports, bulletins, and instructions.

Retention Period

1. Generally, a Class 3--Disposable record, unless otherwise specified in this policy, should be destroyed during the third school year after the school year in which it originated (e.g. 1976-77 plus 3 = 1979-80).
2. With respect to records basic to an audit, a Class 3--Disposable record shall not be destroyed until after the third July 1 succeeding the completion of the audit required by Education Code Section 84040 or of any other legally required audit, or that period specified by Section 58308 of this part, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.
3. With respect to continuing records, a continuing record shall not be destroyed until the third year after it has been classified as Class 3--Disposable.

Article 3 -- Procedures for DestructionResponsibility of the Superintendent/President

The Superintendent/President or designee shall:

1. Personally supervise the classification of records.
2. Mark each file or other container as to classification and the school year in which the records originated. If the records are classified as Class 3--Disposable, the chief administrative officer shall also mark the school year in which such records are to be destroyed.
3. Supervise the destruction of records.

The Superintendent/President or designee shall submit to the Board a list of records recommended for destruction, and shall certify that no records are included in the list in conflict with these regulations.

Responsibility of the Board of Trustees

The Board shall:

1. Approve or disapprove the recommendation of its designee.
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.

Manner of Destruction

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; and such destruction shall be supervised by the Superintendent/President or designee.

Destroyed Records:

Certification of Contents

Whenever in any college year the community college register of any instructor, or other records of any 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 Superintendent/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 average daily attendance.

A.D.A. Records Destroyed

Whenever the average daily attendance of a community college district has been materially affected in any college year by conflagration, public calamity, or epidemic of unusual duration and prevalence, the regular annual reports of the instruction, the Superintendent/President, or officers of the District, shall be accepted by all College officers for all matters appertaining to the District, except that of average daily attendance.

Designees of the Superintendent/President

The designees of the Superintendent/President to carry out and implement the policies, rules and regulations for the destruction of records shall be:

1. Instructional Services Records -- Assistant Superintendent/Vice President Instructional Services
2. Administrative Services -- Assistant Superintendent/Vice President, Administrative Services

3. Student Services and Student Personnel Records -- Assistant Superintendent/Vice President, Student Services
4. Personnel Records -- Director of Human Resources
5. Superintendent/President and Board of Trustees Materials -- Superintendent/President

The Superintendent/President may select an administrator as designee to coordinate the responsibilities listed above.

Reference: CCLC 3310, Education Code 54606 (c), 76210, Title 5, Sections 59020-59031

(Approved: 1/9/78)

(Revised: 9/1/93, 12/03/03)