



# **ADMINISTRATIVE** **PROCEDURE**

**3310**

**DESERT COMMUNITY COLLEGE DISTRICT**

## **RECORDS CONTROL, RETENTION, MAINTENANCE AND DESTRUCTION**

Records retention is the holding of appropriate documents for further use by an organization as required by law or policy. As such, records retention is an essential component of the operation of the College. This manual is a quick reference to determine which records are to be retained and for how long.

This reference manual is based on the K-12 and Community Colleges, Records Retention Manual, Published in 2001, and Title 5, Division 6, Chapter 10, Sections 59020 through 59029 of the California Administrative Code.

### Definitions

1. Records (originals): as used in this manual, mean all documents, maps, books, papers, and records of a community college district which must by law be prepared or retained, or which are prepared or retained as necessary or convenient to the discharge of official duty.
2. Non-records: worksheets, notes, etc., which the law does not require to be kept.
3. Copies: additional carbon or other reproduction of records.
4. Active records: those which are used or referred to frequently.
5. Inactive records: those which are rarely if ever referred to.
6. Storage: safekeeping; preservation by means of a records retention plan.
7. Retrieval: locating information from retained records by such means as searches, verifications, printing.
8. Microfilm copy: a copy of an original record which was prepared under the direction or control of the Superintendent/Superintendent/President in compliance with all regulations.
9. Current year records: those originating during a current school year – shall not be classified during that year.
10. Continuing records: those which are active and useful for administrative, legal, fiscal, or other purposes over a period of years – shall be classified until such usefulness has ceased.

## Classification of Records

The Superintendent/President shall be responsible for classifying district records into the following classifications, according to the California Administrative Code, Title 5, Chapter 10, Sections 59020 – 59029.

Class 1 – Permanent records (as listed in Section 59023) mean the original, or one exact copy, unless microfilmed, must be retained indefinitely.

Class 2 – Optional records (as specified in Section 59024) are not required by law to be retained permanently, but deemed worthy of further preservation.

Class 3 – Disposable records (as determined by Section 59025) can be retained, transferred, or destroyed in accordance with required terms. 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 after the ending date of any retention period required by any agency other than the State of California, whichever date is later. Generally Class 3/Disposable records, unless otherwise specified, should be destroyed during the third school year after the school year in which they originated or designated as such.

Microfilmed copies shall be treated as follows:

The copy of any original Class 1/Permanent record which is photographed, micro photographed or otherwise reproduced on film is then to be 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 if the following conditions have first been met:

1. The reproduction must have been accurate in detail and on film of a type approved for permanent photographic records by the United States Bureau of Standards.
2. The Superintendent/President or designee must have attached to or incorporated in the microfilm copy or system a signed and dated certification of compliance with the provision 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.
3. The microfilm copy must have been placed in an accessible location, and provision must have been made for preserving, examining, or using that copy permanently.

## Destruction of Records

Whenever the destruction of district records is not otherwise authorized or provided by law, the Board of Trustees of the District may destroy such records in accordance with regulations of the Board of Governors which they are authorized to adopt (Reference Education Code Section 72603).

The Superintendent/President or designee shall:

1. Supervise the classification of records.
2. Be responsible for the marking of files or other containers as to their classification, as well as with the fiscal year in which the records originated. If the records are classified

as Class 3/Disposable, the Superintendent/President shall also mark the fiscal year in which such records are to be destroyed.

3. Supervise the destruction of records.

The Board of Trustees should be notified of any intent to dispose of records, and such notification shall be recorded in the Board Minutes. The Board of Trustees shall approve or disapprove the recommendation of the Superintendent/President and order a reclassification when necessary or desirable. Notifications should also be given to the Board of Trustees attesting to the fact that the documents have been properly destroyed.

Disposal of records should be executed by burning, shredding, pulping, or other means which assure complete destruction and prevent any reconstruction of records.

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

1. Mimeographed, otherwise duplicated, or carbon copies, except the original and one copy. (A person who receives a duplicated copy need not retain it).
2. An individual memorandum, other than one relating to personnel matters between employees of the district.
3. Advertisements and other sales materials received.
4. Textbooks, maps, pamphlets, or magazines.

### Sample Destruction Statement (for Board Approval)

#### **Class 2**

The documents on the attached list have been previously classified as Class 2 records. The Superintendent/President requests that these records be reclassified as Class 3 records.

These records have met the retention period requirements of Title 5, California Administrative Code, and are of no further use to the district. The Superintendent/President requests permission to destroy the documents listed.

#### **Class 3**

The documents on the attached list have been previously classified as Class 3 records.

These records have been retained for the legal period of time as described by Title 5, California Administrative Code. There is no further need to retain these records for district use. The Superintendent/President requests permission to destroy the documents listed.

The District must preserve ESI and ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil procedures.

College Council Approved: April 21, 2008  
Cabinet Approval: December 7, 2010  
College Planning Council Approval: February 25, 2011  
Next Review: February 2016

Administrator: VP Business Affairs

**Letter (to the Superintendent/President) Witnessing Document Destruction**  
(Sample)

Date \_\_\_\_\_

Superintendent/President  
College of the Desert  
Palm Desert, CA 92260

Dear Sir/Madam:

The attached list of documents, listed on pages \_\_\_\_\_ to \_\_\_\_\_, has been submitted to the Board of Trustees for release for destruction per attached Board Minutes dated \_\_\_\_\_.

I have, as appointed officer for the College of the Desert, observed their destruction on \_\_\_\_\_.

\_\_\_\_\_  
Signature of person in charge of records

\_\_\_\_\_  
Date

**Storage Label**  
(Sample)

Department \_\_\_\_\_ Box # \_\_\_\_\_

Classification \_\_\_\_\_ Date of Classification \_\_\_\_\_

Date to be Destroyed \_\_\_\_\_

Contents:

Fiscal Year

Item

Microfilmed \_\_\_\_\_ Yes \_\_\_\_\_ No

Date \_\_\_\_\_

Box \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_  
District Records Officer

Reference: *Title 5, Sections 59020, et seq., Federal Rules of Civil Procedures; Rules 16, 26, 33, 34, 37, 45.*