

RECORDS RETENTION AND DESTRUCTION

The Superintendent/President, or designee, shall annually:

1. Review the records and “electronically stored information” (ESI) received or produced during the prior school year.
2. Classify them for retention or destruction according to the provisions of Title 5, Section 59020 et. seq.
3. Mark each file or other container as to classification and the school year in which the records and ESI originated. If records are classified as Class 3 – Disposable, they shall also mark the school year in which such records are to be destroyed.
4. Submit to the Board of Trustees, on an annual basis, a list of records and ESI recommended for destruction, and certify that no records are included in the list in conflict with Title 5 regulations.
5. Supervise the destruction of records.

The Board of Trustees shall:

1. Approve or disapprove the recommendation of the Superintendent/President, or designee.
2. Order a reclassification when necessary or desirable.
3. Order by action records in the minutes (with lists attached) the destruction of records in accordance with Title 5 regulations.

A. Definition of Records:

“Records” means all records, maps, books, papers, data processing output, and documents that the District is required by Title 5 to retain, including but not limited to records created originally by computer and “electronically stored information” (“ESI”), as that term is defined by the Federal Rules of Civil Procedure. The District must preserve ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil Procedure. The District shall comply with the Federal Rules of Civil Procedure and produce relevant ESI in the form in which it is ordinarily maintained or readily usable.

“Records” includes “student records” as defined in Section 76210 of the Education Code.

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

1. Additional copies of documents beyond the original or one copy. (A person receiving a duplicated copy need not retain it.)
2. Correspondence between District employees that does not pertain to personnel matters or does not constitute a student record.
3. Advertisement and other sales material received.
4. Textbooks used for instruction, and other instructional materials, including library books, pamphlets and magazines.

B. Classification of Records:

As specified above, the Superintendent/President, or designee, shall review "records" received or produced during the prior academic year and classify them as Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable. Each classification is defined in the following.

C. Class 1 – Permanent Records:

The original of each of the following records, 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 copied or reproduced in accordance with Section 59022(e) of Title 5.

1. Annual reports:
 - a. Official budget
 - b. Financial report of all funds (including cafeteria and student body funds)
 - c. Audit of all funds
 - d. Full-time equivalent student (including Period 2 and Period 2 reports)
 - e. Other major annual reports (containing information relating to property, activities, financial condition, or transactions and those declared by Board minutes to be permanent).
2. Official actions:
 - a. Minutes of the Board 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.
 - b. 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 member's recall, issuance of bonds, incurring any long-term liability, change in maximum tax rates, reorganization, or any other purpose.
 - 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.

3. Student records: The records of enrollment and scholarship for each student may include, but need not be limited to, those items listed below. In addition, 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 records, one year after the claim has been settled or after the applicable statute of limitations has run shall be included.
 - 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.
 - h. Student Grievances: official written grievances by students who believe a District decision or action has adversely affected their status, rights or privileges as a student (refer to Administrative Procedure 5503 – Student Rights and Grievances).
4. 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. The property ledger should include: all fixed assets; an equipment inventory; and the following for each unit of property: date of acquisition or augmentation, the person from whom acquired, an adequate description or identification, and the amount paid, and comparable data if the unit is disposed of by sale, loss, or otherwise.
5. Bond Records: In particular, the District will maintain or cause to be maintained detailed records with respect to each security, obligation, annuity contract, or an other investment-type property allocated to Gross Proceeds, including:
 - (i) purchase date, (ii) purchase price, (iii) information establishing fair market value on the date such investment is allocated to Gross Proceeds, (iv) any accrued interest paid, (v) face amount, (vi) coupon rate, (vii) periodicity of interest payments, (viii) disposition price, (ix) any accrued interest received, and (x) disposition date. The District shall establish separate sub-accounts or take other accounting measures in order to account fully for all Gross Proceeds. The District shall maintain books and records with respect to the allocation of Gross Proceeds in accordance with this Tax Certificate. All records required to be maintained pursuant to this Tax Certificate must be kept as long as the Bonds are outstanding plus three years after all Bonds are retired, and with respect to Bonds refunded by the Bonds, for the same period required for the Bonds.

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

E. 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. These will include, but not be limited to, detail records relating to: records basic to audit (including those relating to attendance, full-time equivalent student, or a business or financial transaction such as purchase orders, invoices, warrants, ledger sheets, canceled checks and stubs, student body and cafeteria fund records, etc.), or detail records used in the preparation of any other report; and, period reports such as daily, weekly, and monthly reports, bulletins, and instructions.

F. Procedures for review of classified records include:

1. All records not classified prior to July 1, 1976, are subject to this same review and classification. If such records are three or more years old and classified as Class 3 – Disposable, they may be destroyed without further delay.
2. Records originating during a current academic year shall not be classified during that year.
3. 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.
4. Whenever an original Class 1 – Permanent record is reproduced on file or electronically, the copy 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:
 - a. The reproduction was accurate in detail.
 - b. The Superintendent/President, or designee, has attached to or incorporated in the copy or system a signed and dated certification of compliance with the provisions of Section 1531 of the Evidence Code, stating that the copy is a correct copy of the original, or a specified part thereof.
 - c. The copy was placed in an accessible location and provision was made for permanent preservation, examination and use.
 - d. If the record is photographed or microfilmed, the reproduction must be on film of a type approved for permanent, photographic records by the United States Bureau of Standards.

G. Retention Period:

Generally, a Class 3 – Disposable record should be destroyed during the third college year after the academic year in which it originated (e.g., 1993-94 plus 3 =

1996-97). Federal programs, including various student aid programs, may require longer retention periods and such program requirements shall take precedence over the requirements contained herein.

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 59118, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.

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.

H. 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. Such destruction shall be supervised by the Superintendent/President, or designee.

References: Title 5 Sections 59020 et seq.; Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45; Education Code Sections 66700, 70901, 71020.5, 76210, 76220 and 84500; Tax Certificate (COS – Hanford Improvement District #1)

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