

General Institution

AP 3310 RECORDS RETENTION AND DESTRUCTION

References:

- Title 5 Sections 59020 et seq.;
- Title 5 Section 59027 subdivision (b)
- 76210 of the Education Code
- Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45

“Records” means all records, maps, books, papers, data processing output, and documents of the District required by Title 5 to be retained, 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.

Student records may be any item of information directly related to an identifiable student, other than directory information, which is maintained by a community college or required to be maintained by any employee in the performance of duties, whether recorded by hand, print, tapes, film, microfilm, or other means.

The following documents, listed under Title 5 Section 59020, 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 constitute a student record.
3. Advertisements and other sales material received.
4. Textbooks used for instruction, and other instructional materials, including library books, pamphlets, and magazines.

The Chief Business Officer shall supervise the classification and destruction of records and ESI. The District must preserve ESI and 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.

The Chief Business Officer or designee shall submit to the governing board a list of records and ESI recommended for destruction, and shall certify that no records are included in the list in conflict with these regulations. An annual report shall be made to the Board of Trustees regarding the classification and destruction of records and ESI.

The Admissions and Records Administrator or designee shall supervise the classification and destruction of student records whether in form of paper records or ESI.

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 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, and pulping.

Approved: November 16, 2021