

**GUIDELINES FOR CLASSIFICATION, RETENTION AND
DESTRUCTION OF RECORDS**

AP 3410

SCOPE

The Board of Trustees establishes this policy, in accordance with Title 5, Division 6, Chapter 10, Sub-chapter 2.5 of the California Code of Regulations (CCR), to govern procedures for the classification, retention and destruction of all District records. Annually, the Chancellor or designee shall review documents and papers received or produced during the prior academic year and classify them as Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) if appropriate.

Records originating during a current academic year shall not be classified during that year. Records of a continuing nature, such as active and useful for administrative, legal, fiscal, or other purposes over a period of years, shall not be classified until such usefulness has ceased. All records not classified prior to July 1, 1976, are subject to the 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, in accordance with Article 3, Section 59029 of the CCR.

The responsibility for Records Management shall be as specified in Appendix A.

Each year the appropriate official, as identified in Appendix A, shall submit to the office of the Chancellor or designee, a list of records scheduled for destruction the following year.

The list shall include Class 3 records and those, if any, Class 1 and 2 records to be reclassified to Class 3.

The Chancellor or designee, then submits to the Governing Board the list of Class 1 and Class 2 records recommended for reclassification to Class 3 and requests approval for the destruction of all Class 3 records and shall verify that no records included in the list are in conflict with this policy.

Upon approval of the Governing Board for the destruction of the specified records, such records shall be permanently destroyed by such foolproof methods as recycling, shredding, burning, or pulping, and such destruction shall be supervised by the appropriate official, Chancellor or designee.

Whenever records are kept electronically, a certification copy for evidence shall be completed (form 4cd-137) and filmed preceding the referenced records. (Reference Section 59022(e) of Title 5 and Section 1531, Evidence Code.)

The appropriate official and designated District personnel shall provide for the permanent and safe storage of paper and electronic records during the retention period.

The retention and destruction of records related to Federal and State categorical programs are subject to the regulations covering the program if they are more restricted than District policy.

The retention and destruction of records related to Proposition 39 bond measures are subject to the regulations required by statute if they are more restricted than District policy.

For records that are photographed, micro-photographed, or otherwise reproduced on film or electronically, 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 law if the following conditions are met:

1. The reproduction is accurate in detail.
2. The Chancellor 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 in substance that the copy is a correct copy of the original, or a specified part thereof, as appropriate.
3. The copy was placed in an accessible location and provision was made for preserving permanently, examining and using same.
4. In addition, 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.

DEFINITIONS

For the purpose of this Board policy, the following definitions apply:

1. **Records:** all District maps, books, papers, data processing output, and electronic documents that are required by law to prepare or retain by law or official duty, including student records as defined in section 76210 of the Education Code.

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

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

2. **Class 1 (Permanent Records)** – The original of each of the records, or one exact copy when the original is required by law to be filed with another agency, and must be retained indefinitely unless copied or reproduced on film or electronically.

The following District records are in Class 1:

Annual reports:

- Official budget
- Financial reports of all funds, including cafeteria and student body funds
- Audit reports of all funds
- Average daily attendance/full-time equivalent student including Period 1 and Period 2 reports.
- Other major annual reports, including:
 - Those containing information relating to property, activities, financial condition, or transactions; and
 - Those declared by Board minutes to be permanent.

The following official actions:

- Minutes of the Board or committee meetings thereof, including the text of a rule, regulation, policy, or resolution not set forth verbatim in the minutes but included therein by reference only.
- 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.
- Records transmitted by another agency that pertain to that agency's action with respect to District organizations.

The following employee personnel records:

- All 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, salary 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).

The following payroll records:

- Absence/Attendance Reports (Certificated & Classified)
- Salary Continuance/Adjustments (Medical, Dental, Life)
- Earnings Reports
- Quarterly Reports (Unemployment Insurance, Federal & State)
- Payroll Registers
- Payroll Adjustments & Employee/Employer Payment Detail
- Tax Shelter Annuities

- Time Cards (Classified, Certificated & Students)
- W-2 Form

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- Warrant Cancellation (Documentation)
- Garnishments and Levies

The following student records:

Enrollment and scholarship for each student, including but not limited to:

- Name of student
- Date of birth
- Place of birth
- Name and address of a parent having custody or a guardian, if the student is a minor.
- Entering and leaving date for each academic year and for any summer session or other extra session.
- Subjects taken during each year, half year, summer session, or quarter.
- If grades or credits are given, the grades and number of credits toward graduation allowed for work taken.
- Provided, however, that the District will not treat as Class 1 every document containing some or all of the foregoing items of student record information. Annually, each District employee responsible for generating records which contain any of the foregoing items of information shall also generate, or participate in the creation of, a single record which to the extent reasonably possible consolidates each of the foregoing items of student record information into a single document per student, or per other reasonable category. Such consolidated records shall then be treated as Class 1 pursuant to this Administrative Procedure, and the separate individual records from which the information on the consolidated records was taken shall be treated as Class 3 records.
- 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) one year after the claim has been settled or applicable statute of limitations has run.

The following property records:

All detail property 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), if the property ledger includes:

- All capital assets
- For each unit of property, the 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.

The following archival records:

Not required by law to be kept permanently but a District policy to retain documents related to historical events of the District, yearbooks, plaques, awards, photographs, etc.

The following Foundation records (District and Colleges):

All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations and corresponding regulations governing operation of Title 26, USCA, Section 501(c)(3) tax exempt non-for-profit organizations.

3. **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 Chancellor or designee determines that classification should not be made by the specified time, all records of the prior year may be classified as Class 2 (Optional), pending further review and classification within one year.

4. **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:
 - Records basic to audit, including those relating to attendance, full-time equivalent student, or a business or financial transaction (purchase requisitions, purchase orders, invoices, warrants, ledger sheets, cancelled checks and stubs, student body and cafeteria fund records, etc.), and detail records used in the preparation of any other report.
 - Periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions.

Generally, a Class 3 (Disposable) record, unless otherwise specified in this procedure, should be destroyed during the third college year after the college year in which it originated (e.g., 2003-04 plus 3 equals destruction in 2006-07). 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 of the CCR, 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).

Approved by Chancellor's Advisory Council 10/2/09

APPENDIX A

I. Class 1 (Permanent Records)

Records to be retained permanently by the appropriate official and the responsibility for maintenance, storage, and retention under the general direction of the Chancellor are as follows:

A. Chancellor

1. Board Documents
 - a. Board policies and administrative procedures
 - b. Minutes
 - c. Board docket
2. Legal Counsel Opinions
3. Elections called by the Board
 - a. Records of call and results
4. District Organizations
 - a. Records relating to Board action, formation, naming, boundaries, changes in boundaries, reorganizations
5. District Foundation
 - a. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations, financial audits and corresponding regulations governing operation of 501(c)(3) tax exempt not-for-profit organizations.

B. Vice Chancellor, Business Services

1. Administrative Affairs
 - a. Budgets: State form, annual
 - b. Financial reports (quarterly and annual – all funds)
 - c. Annual audit
 - d. Budget allocation and planning review committee minutes
 - e. Apportionment notices and worksheets
 - f. Tentative budget
 - g. Adopted/Final budget
2. Capital Assets and Property Records
 - a. Buildings: Working drawings, blue prints and specifications of all structures, additions, alternations, certificates of approval of completion and related documents, change orders, contracts for construction, contractor payment requests, and appraisals
 - b. Equipment: All records relating to model numbers, quantity, type, identification number assigned, vendor, cost, date of acquisition and disposal

3. Payroll Records
 - a. Proven summary payroll of every employee
 - b. Salaries, wages, deductions and withholdings
 - c. Absence records (vacation cards and sick cards)
 - d. Payroll register
 - e. Absence/Attendance Reports (Certificated & Classified)
 - f. Salary Continuance/Adjustments (Medical, Dental, Life)
 - g. Earnings Reports
 - h. Quarterly Reports (Unemployment Insurance, Federal & State)
 - i. Payroll Registers
 - j. Payroll Adjustments & Employee/Employer Payment Detail
 - k. Tax Shelter Annuities
 - l. Time Cards (Classified, Certificated & Students)
 - m. W-2 Form
 - n. Warrant Cancellation (Documentation)
 - o. Garnishments and Levies

4. Risk Management
 - a. Certificates of Insurance from vendors
 - b. Worker's Compensation Insurance Certificate from vendors
 - c. Accident or injury reports (all records for which a claim has been made)
 - d. Proof of Insurance certificates
 - e. Liability claims files
 - f. Insurance summary of loss runs
 - g. Property Appraisals
 - h. Insurance Policies

5. Environmental Compliance
 - a. Major Inspection Records with Environmental Agencies
 - b. Any Legal Documents related to Environmental Compliance, specifically Judgments or Agreements

6. Proposition 39 bond programs

7. District Police Department
Criminal
Capital felony (murder with special circumstances where the prosecution seeks the death penalty): **retain permanently**. If the charge is disposed of by acquittal or a sentence less than death, the case shall **be reclassified**.

C. Vice Chancellor, Human Resources and Equal Opportunity

1. Personnel Records – Classified and Academic Employees
 - a. Dates of service rendered
 - b. Employment, assignment and reassignment records
 - c. Termination or dismissal notices
 - d. Evaluations

 - e. Retirement

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- f. Professional growth reports
 - g. Employee contracts
 - h. Collective bargaining agreements
 - i. Grievances
 - j. Unfair labor practices
2. Employee Health Benefits
- a. Health and benefits contracts
 - c. District worker's compensation insurance reports
 - d. Workers' compensation claims files
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- f. Insurance policies
 - g. Insurance summary of loss runs
 - h. Employee benefits/fringe enrollment forms (retirees only)
 - i. OSHA logs
- D. College Presidents
1. Academic Affairs
- a. Catalog
 - b. Class schedules
 - c. Minutes of:
 - i. Advisory committee meetings
 - ii. Academic senate meetings
 - d. Accreditation reports
 - e. Faculty handbooks
2. Admissions & Records
- a. Attendance reports
 - b. Class rosters
 - c. Confidential records, correspondence
 - d. Instructor grade sheets
 - e. Permanent transcripts
 - f. Reports of degrees and certificates
 - g. State 320 reports
3. Commencement Program
4. Student Government Minutes
5. Foundations
- a. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations and corresponding regulations governing operation of 501(c)(3) tax exempt not-for-profit organizations.

II. Class II (Optional Records)

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Records of a continuing nature, such as active and useful for administrative, legal, fiscal, or other purposes over a period of years, shall not be classified until such usefulness has ceased. The appropriate official shall be responsible for maintenance, storage, and retention of Class II records. Records not required to be retained permanently and the length of retention for each record are for three, five, seven and ten years.

Retention Period (Years)

1. Human Resources (Vice Chancellor of Human Resources)

Application for Employment ¹	3
Selection Committee Materials (rating forms, reference-checks, etc)	3
Contract/Offer of Employment ¹	3
Employment Tests ¹	3
Letters of Recommendation ¹	3
Reclassification / Classification Review Materials	3
Tenure Review Files/Portfolios ²	3
Employee Benefit/Fringe Enrollment Forms ⁴	7

2. Chancellor (Chancellor’s Office)

Conflict of Interest Statements	7
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3. District Accounting (Vice Chancellor of Business Services)

Account Request Forms	3
Appropriation Transfers/Budget Change Forms	3
“B” Warrant Listing	3
“B” Warrant Summaries	7
Cancelled Checks – Revolving Fund/Clearing Account	7
Cash Receipts/Deposits	7
Categorical Program File (Agreements/Contract/Claims)	7
Check Books – Revolving Fund/Clearing Account	7
Check Registers	7
Community College Enrollment Fee (CCEF Report)	7
County Reconciliation Reports	7
Financial Reports (Local) Monthly Expenditure/Revenue Request (BR0070)	7
Journal Vouchers	7
Nonresident Withholding Allocation Worksheet (587)	7
Nonresident Withholding Waiver Request (588)	7

¹ Will be kept in personnel files of current employees until termination.

² Tenure Review files shall be kept a minimum of one full year at the college site after tenure is granted, and three years in storage.

⁴ Will be retained for seven (7) years after termination.

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Pay Vendor files with Supporting Documents	7
- Affidavit of Publication	
- Invoices	
- POs and Receivers	
- Reimbursement Requests	
- Non-Resident Refunds	
Posted IFAS Batch Reports	3
Request for Taxpayer Identification Number and Certification (W9)	7
Revolving Cash Fund Receipts	7
Student Financial Aid Records	7
Trial Balances	7
Withholding Exemption Certificate (590)	7
4. <u>Purchasing (Vice Chancellor of Business Services)</u>	
Formal Bids – Public Project	3
Maintenance and Service Contracts	3
Purchase Order Listing and Supplement	3
Contracts and Independent Contractors	3
Stores Inventory Records	3
Surplus property disposition records	3
5. <u>Facilities & Operations (Vice Chancellor of Business Services)</u>	
Allocations for Property Use	3
Architects Agreements	3
Escrow Materials	3
Master Plan	10
Materials and Labor Bonds	3
Performance Bonds	3
6. <u>Applications, correspondence, and records used for financial aid applications to federal, state and other agencies (College Presidents)</u>	7
7. <u>Foundation (Chancellors Office)</u>	
Account Transaction Forms (Request for Deposits and Payments)	5
Bank Statements (CD's, Savings, and Checking Accounts)	5
Check Logs (Check Registers and Financial Transaction Logs)	5
End-of-Year Trial and Balance and Balance Sheets	5
Investment Reports	5
Receipts for Donations (Thank-you Letters)	7
8. <u>Auxiliary Services (Vice Chancellor of Business Services)</u>	
A/P Check Listings	7

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Bank Book	7
Bank Statements	7
Bookstore Inventory (annual)	7
Budget	7
Cancelled Checks	7
Cash Receipts/Deposits	7
Check Stubs	7
Community Education Application/Receipts	7
Daily Cash Sales Reports	7
Expenditure Vouchers	7
Financial Reports (monthly)	7
Invoices	7
Purchase Orders	7
Sales Receipts	7
Sales and Use Tax Slips	7
9. <u>Facilities/Maintenance (Vice Chancellor of Business Services)</u>	
Inspection Reports	3
Preventative Maintenance Schedules	3
Surveys	3
Vandalism Reports	3
Vehicle Request Forms	3
10. <u>Environmental Services (Vice Chancellor of Business Services)</u>	
Hazardous Waste Generator Reports/Training	10
Hazardous Bill of Lading	10
Hazardous Waste Manifests	10
Completed Closure Reports	7
Periodic Agency Reports for Continued Compliance	7
Hazardous Material Business Plans for Each Campus	3
Internal and Self Inspections	3
Underground Storage Tanks Inspections and Certifications	3
Inspection Forms for Haz-Mat Areas (Within the Departments)	3
Training Records	3
Departmental Standard Operating Procedures Approved by EH&S	3
11. <u>Payroll (Vice Chancellor of Business Services)</u>	
Duplicate Copies of Tax Returns/Tax Deposits	5
Copies of W-2 (including returned copies)	5
Cancelled/Voided Checks	5
W-4 and DE4 (Withholding Allowance Certificates)	5
Copies of Forms 941, 940, W-3, Schedule A, Schedule B	5
Unemployment Reports (DE9423)	5

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Withholding Tax Authorization Forms	5
Deduction Authorizations	5

12. Risk Management (Vice Chancellor of Business Services)

On-Campus Incident Reports received by Risk Management (copies of incident reports that have potential risk to the District are received from District Police Department)	3
Property/Liability Reports	7
OSHA Training Records	3

13. Admissions (College Presidents)

Admissions & Guidance Petition (A&G)	5
Academic Records from Other Institutions	5
Academic Records from Other Institutions if Student Fails to Attend	3
Add/Drop Cards	5
Admission Application (College Credit)	5
Admission Application (Continuing Education)	3
Admission Application (International Students)	3
Attendance Forms, Op-Scan	5
Board of Governor Grant form (BOSS-C Waiver)	3
Career Advance Placement Form (CAP)	3
California Community College – Fiscal Service Unit (CCFS) 320 Contact Hours by Class Audit Reports	5
Correspondence	3
Credit by Examination	5
Credit/No Credit	5
Evaluations and Petitions	5
Graduation Petitions	5
International Student Records	3
Proficiency Exam	3
Registration Cards and Residency Statements	3
Student Disclosure Form	3
Student Folders	5
Substandard Course Repetition Form	3
Transcript Request	3
Veterans Certifications	5
Veterans Education Administration Record (VEA)	5

14. Students' Health and Safety Records (College Presidents)

Students Examinations and Health Records	7
Records Pertaining to Eligibility for Licenses Examinations	7
Records Pertaining to Patient Confidentiality	7

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Unusual Occurrences	7
<u>15. Grants and Categorical Programs (Vice Chancellor of Business Services)</u>	
Correspondence with Funding Agency ⁵	5
Original Contracts and Contract Amendments ⁵	5
Periodic Progress and Final Reports ⁵	5
Student Eligibility and Participation Records ⁵	5
<u>16. District Police Department</u>	
<u>Criminal</u>	
Felony, except as otherwise specified	75
Felony, except capital felony, with court records from the initial complaint through the preliminary hearing or plea and for which the case file does not include final sentencing or other final disposition of the case because the case was bound over to the superior court	5
Misdemeanor, except as otherwise specified	5
Misdemeanor alleging a violation of the Vehicle Code, except as otherwise specified	3
Misdemeanor alleging a violation of Section 23103, 23152, or 23153 of the Vehicle Code	10
Misdemeanor alleging a violation of Section 14601, 14601.1, 20002, 23104, 23105, 23109, or 23109.1 of the Vehicle Code	5
Misdemeanor alleging a marijuana violation under subdivision (b), (c), (d), or (e) of Section 11357 of the Health and Safety Code, or subdivision (b) of Section 11360 of the Health and Safety Code in accordance with the procedure set forth in Section 11361.5 of the Health and Safety Code	2 (from the date of conviction or from the date of arrest if no conviction)
Misdemeanor, infraction, or civil action alleging a violation of the regulation and licensing of dogs under Sections 30951 to 30956, inclusive, of the Food and Agricultural Code or violation of any other local ordinance	3
Misdemeanor action resulting in a requirement that the defendant register as a sex offender pursuant to Section 290 of the Penal Code This paragraph shall apply to records relating to a person convicted on or after September 20, 2006.	75
Infraction, except as otherwise specified	3

⁵ Beyond end of entire project (if more than one year or last independent program audit or litigation).

Parking infractions, including alleged violations under the stopping, standing, and parking provisions set forth in Chapter 9 (commencing with Section 22500) of Division 11 of the Vehicle Code

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II. Class III (Disposable Records)

A Class 3 (Disposable) record, unless otherwise specified in this procedure, should be destroyed during the third college year after the college year in which it originated.

1. Purchasing (Vice Chancellor of Business Services)

Purchase Orders	3
Purchase Requisitions	3
Formal Bids – Non-Public Projects	3