BP 3310    RECORDS RETENTION AND DESTRUCTION

References:

    Title 5 Sections 59020 et seq.;
    Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45

The Chancellor shall establish administrative procedures to assure the retention and destruction of all District records—including electronically stored information as defined by the Federal Rules of Civil Procedure—in compliance with Title 5. Such records shall include but not be limited to student records, employment records, and financial records.

Date Adopted: November 18, 2008
(Replaces RCCD Policy 7060)
Riverside Community College District Administrative Procedure

No. 3310

General Institution

AP 3310  RECORDS RETENTION AND DESTRUCTION

References:
Title 5 Sections 59020 et seq.;
Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45

The Vice Chancellor, Business and Financial Services, will be responsible for supervising the classification of records, marking of files or other containers, including electronically stored information (ESI), dealing with the administrative operations of the District, but exclusive of the student records which fall under the responsibility of the President of each College, or their designee.

DEFINITION OF RECORDS

"Records" means all records (including student 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 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 the District or required to be maintained by any employee in the performance of his or her duties, whether recorded by handwriting, print, tapes, film, microfilm, or other means.

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 duplicate 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.

RETENTION, TRANSFER, STORAGE AND DESTRUCTION OF RECORDS  Classification of Records

Prior Year Records
Records shall be classified as required by Title 5 and other applicable statutes, state, and federal regulations. Records shall be categorized as Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable.
Current Year Records
Records originating during a current college year shall not be classified during that year.

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.

Microfilm Copy
Whenever an original Class 1 – Permanent record is photographed, microphotographed, or otherwise reproduced on film or electronically, the copy made is classified as Class 1 – Permanent. The original record, unless classified as Class 2 – Optional, may be classified as Class 3 – Disposable. It may then be destroyed in accordance with the California Administrative Code, if the following conditions have been met:

1. The reproduction was accurate in detail.
2. The Vice Chancellor, Business and Financial Services, or designee, or in the case of student records, the College Presidents, or designee, has attached to or incorporated in the copy or system, a signed and dated certification of compliance with the provisions of the California Evidence Code (Section 1531), stating in substance that the copy is a correct copy of the original, or a specified part thereof, as the case may be. See Appendix B.
3. The copy was placed in an accessible location, and provision was made for preserving permanently, examining and using the 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.

Record Retention Period

Class 1 – Permanent Records

The original, or one exact copy, when the original is required by law to be filed with another agency, unless microfilmed or otherwise permanently electronically imaged, shall be retained indefinitely unless copied or reproduced in accordance with subsection (3) of Section 59022 of Title 5:

- Annual Reports; o
  - Official budget;
    o Financial report of all funds, including food services and student body funds; o
    - Audit of all funds;
    o California Community College Apportionment Attendance Report (CCFS-320);
• Other major annual reports, including those containing information relating to property, activities, financial condition or transaction, or those declared by Board minutes to be permanent;

• Official Actions, such as:
  o Labor agreements and legal settlement agreements;
  o Minutes of the Board of Trustees, including the text of a rule, regulation, policy or resolution not set forth verbatim in the minutes but included therein by reference only;
  o Elections, including the call, if any, for the result (but not including detail documents, such as ballots) of an election called, conducted, or canvassed by the Board of Trustees 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;
  o Records transmitted by another agency that pertain to that agency’s action with respect to the District’s reorganization;

• Personnel records of employees such as all detailed 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 detailed 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 detailed records may then be classified as Class 3 – Disposable);

• The following Student Records – The records of enrollment and scholarship for each student. Such records of enrollment and scholarship may include, but need not be limited to: name of student, date and 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 or any summer session or other extra session, subjects taken during each year, semester, summer/winter session, and if grades or credits are given, the grades and number of credits toward graduation allowed for work taken. Related financial aid documents will also be retained pursuant to federal and state regulations;

• All records pertaining to any accident or injury involving an employee, Board member, volunteer, member of the public or 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 expired.

• Capital Construction Projects – the records for capital projects including bid conditions (advertised), capital outlay bids (successful bidder), notice of completion, construction change orders and lease agreements.
• 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, if the property ledger includes: all fixed assets, an equipment inventory, 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.

Class 2 – Optional

Not required by law to be retained permanently until classified as Class 3 Disposable.

• If the Vice Chancellor, Business and Financial Services, or designee, or in the case of student records, the College Presidents, or designee, determines that classification should not be made annually, all records of the prior year may be classified as Class 2 – Optional, pending further review and classification within one 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:

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

Generally, a Class 3 Record, unless otherwise specified, should be destroyed during the third school year after the school year in which it originated. A Class 3 Record shall not be destroyed until after the third July 1 succeeding the completion of the audit required by the Education Code or of any other legally required audit. This also applies after the ending date of any retention period required by any agency other than the State of California, whichever date is later. Federal programs, including various student aid programs, may require longer retention periods and such program requirements shall take precedence over the requirements contained herein. A continuing record shall not be destroyed until the third year after it has been classified as a Class 3 Record.

Each file or container of records will be marked as to classification and the year in which the records originated. If the records are Class 3 - disposable, the file will also be marked with the school year in which the records are to be destroyed.
Statute of Limitations

In addition to periods of retention required by the Board of Governors, the District/College may desire for its own benefit to maintain some records at least beyond the statutory period for bringing suits upon these records. If there is any issue about the placing a particular record(s) into the proper classification, it should be resolved in favor of the longer retention period.

Storage of Records

Records may be stored offsite with a vendor the District contracts with for such purposes. Records can be sent to or retrieved from the offsite storage location using the procedures detailed in Appendix A.

Destruction of Records

The Vice Chancellor, Business and Financial Services, or designee, in coordination with the College Presidents, or designee, will submit a list of records recommended for destruction once each year to the Board of Trustees and will certify that no records are included in the list which are in conflict with the above procedures.

After the Board of Trustees has approved the recommendation for destruction, those records ordered for destruction shall be permanently destroyed by such foolproof methods as shredding, burning, pulping or demagnetizing (complete removal of information from the medium must be verified); and such destruction shall be supervised by the Vice Chancellor, Business and Financial Services, or designee.

ESI AND THE FEDERAL RULES OF CIVIL PROCEDURE (FRCP)

Under the FRCP the District is required to take steps to preserve all ESI that relates to any federal lawsuits in which the District is, or may become, involved. The District shall comply with the FRCP and produce relevant ESI in the form in which it is ordinarily maintained or readily usable. This may mean preserving information on individual employee computers, Datatel, Galaxy, voicemail, faculty website, Web CT/Blackboard, etc. As soon as the District learns that it may be involved in a federal lawsuit, all measures will be taken to preserve ESI, to include notifying individual employees, if necessary, individuals responsible for managing certain computer programs/software for the District, as well as the Associate Vice Chancellor of Information Technology and Learning Services, whose department will be required to act immediately to preserve pertinent information.

Office of Primary Responsibility: Vice Chancellor, Business and Financial Services

Administrative Approval: April 26, 2010
(Replaces RCCD Regulation 7060)
Administrative Approval: January 3, 2018
RCCD
Record Storage Procedures

Ordering Containers

Archive storage boxes (containers) are available through the RCCD Warehouse. They can be ordered by entering an internal transfer requisition in Galaxy with item number 100012.

Preparing Containers for Offsite Storage

The following information must be written in permanent, black marker on each container (please do not tape or otherwise affix documentation to the box as adhesive tends to degrade over time leading to loss of labeling):

1. **Contents** – A detailed description of documents in the container, including sequence range if applicable.
2. **Department Number** – Each RCCD department that stores records has been assigned a department number (see Department Number Listing on page 9).
3. **Destruction Date** – In accordance with the District’s record retention policy, identify the date the records are to be destroyed (i.e. 06-30-2010), or if a permanent record, write the word “permanent.”
4. **Box Number** – The Accounting Services Administrative Assistant will provide you with a large barcode sticker to identify the specific container and a smaller barcode for the transmittal sheet.

5. **Transmittal Sheet** – Place small barcode on the transmittal sheet in the space provided and include the following information:
   - Customer Name - Department name as identified in the Department Number Listing
   - Department ID - Department number as identified in the Department Number Listing
   - Destruction Eligibility – Destruction date (06/30/xx) or check Permanent
   - Major Description - Description of the contents. If more space is needed, the Minor Description and Reference #1 areas may be used.
   - Preparer’s Full Name – include the contact name, date, and telephone number
Sending Containers to Offsite Storage

Once a container is prepared for offsite storage, contact the Accounting Services Administrative Assistant at 951-222-8076 or adrienne.fisher@rccd.edu. Provide the number of containers to be picked up and the contact person, location, and hours of operation where the containers are to be picked up.

Retrieving Containers from Offsite Storage

To retrieve containers from offsite storage, contact the Accounting Services Administrative Assistant at 951-222-8076 or adrienne.fisher@rccd.edu. Provide the barcode number of the container(s) to be retrieved and the contact person, location, and hours of operation where the containers are to be delivered. An inventory listing of all containers for your department can be obtained from the Accounting Services Administrative Assistant.

Sample Container
**Sample Transmittal**

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<tr>
<th>Customer Box Number</th>
<th>Record Code*</th>
<th>Delete Date PRIOR, PRIOR, PRIOR</th>
<th>Alpha/numeric Range - PRIOR</th>
<th>Alpha/numeric Range - PRIOR</th>
<th>Create Date</th>
<th>Event Date</th>
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*Note: Only customers specifically set to use a Customer ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in this gray box.

**Iron Mountain**

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**Appendix A**
## Appendix A

### Riverside Community College District

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Code</th>
<th>Description</th>
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<td>165</td>
<td>Health, Human, &amp; Public Services-MV</td>
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<td>Auxiliary Business Services-District</td>
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<td>Human Resources-District</td>
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<td>Academic Senate-RCC</td>
<td>175</td>
<td>Institutional Reporting-District</td>
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<td>Academic Support-MV</td>
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<td>Institutional Research-District</td>
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<td>Academic Support-RCC</td>
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<td>International Student Center-RCC</td>
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<td>Educational Services-RCC</td>
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<td>Inventory Control-District</td>
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<td>Accounting Services-District</td>
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<td>Law Enforcement-BCTC</td>
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<td>Applied Technology-RCC</td>
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<td>President's Office-RCC</td>
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<td>Printing &amp; Production-RCC</td>
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<td>CalWORKS-RCC</td>
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<td>Procurement Assistant Center-MEC</td>
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<td>Chancellor's Office-District</td>
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<td>Public Safety Emergency Training-BCTC</td>
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<td>Community Education-RCC</td>
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<td>Risk Management-District</td>
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<td>87</td>
<td>Customized Solutions-MEC</td>
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<td>Student Accounts-RCC</td>
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<td>Disabled Student Services-RCC</td>
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<td>Student Employment-RCC</td>
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<td>Dental Hygiene-MV</td>
<td>259</td>
<td>Student Financial Services-MV</td>
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<td>Student Financial Services-RCC</td>
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<td>Emergency Medical Services-BCTC</td>
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<td>Student Services College Connection-RCC</td>
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<td>Extended Opportunity Programs &amp; Services -RCC</td>
<td>265</td>
<td>Teacher Preparation-RCC</td>
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<tr>
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<td>Facilities-RCC</td>
<td>266</td>
<td>Title III/STEM-MV</td>
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<tr>
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<td>Facilities Planning, Design &amp; Const.-District</td>
<td>267</td>
<td>Title V-Norco</td>
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<td>Budget-District</td>
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<td>TriTech-MEC</td>
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<td>Fire Technology-BCTC</td>
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<td>Trio/SSS-RIV</td>
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<td>Foundation-RCC</td>
<td>270</td>
<td>Tutorial-MV</td>
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<td>Foster Kinship Care Education Program.-RCC</td>
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<td>Upward Bound-RCC</td>
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<td>Gateway-RCC</td>
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<td>Upward Bound-Norco</td>
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<td>Grants Accounting-District</td>
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<td>Veterans Office-RCC</td>
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<td>Grants &amp; Contracts-District</td>
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<td>Vice Chancellor, Business &amp; Financial Services-District</td>
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<td>160</td>
<td>Health Services-RCC</td>
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<td>Workforce Prep-MV</td>
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CERTIFICATE OF COMPLIANCE PURSUANT TO
CALIFORNIA EVIDENCE CODE SECTION 1531

I, ________________________________, do hereby certify that the record(s)
(Type Name)

contained herein, or attached hereto, is/are a true and correct copy(ies) of the original
document(s), or a specified part thereof.

Dated: ________________________________

______________________________
(signature)

______________________________
(Title)