

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)

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; ○
 - Official budget;
 - Financial report of all funds, including food services and student body funds; ○
 - Audit of all funds;
 - 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:
 - Labor agreements and legal settlement agreements;
 - 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;
 - 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;
 - 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;
 - 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

Place larger barcode label here, smaller one on the transmittal sheet.

Write all contents of what is in the box in this area and also on the transmittal sheet.


Destroy Date- Always use 6/30 and the year you want the box destroyed. If permanent enter permanent here.

BOX NO. <small>NECESSARY CUSTOMER</small>  RF036145457	CONTENTS A-Z Files, Bank Statements, and Audit Files	DESTROY 6/30/2020
FROM 6/30/17		 100
THRU 7/1/18		

If you have a date range please include

Department Number

Sample Transmittal

Transmittal Sheet										SAMPLE		IRON MOUNTAIN	
** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.										Page _____ of _____			
CUSTOMER ID C S S Q Y		CUSTOMER NAME Accounting Services				Division ID* (up to 12 characters)				Department ID* (up to 12 characters) 25			
Customer Box Number	Record Code*	Date Range/ FROM MM DD YYYY	Date Range/ TO MM DD YYYY	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date MM DD YYYY	Event Date MM DD YYYY	MM DD YYYY	Destruction Eligibility	Hold Code			
1	T								6/30/2021	<input type="checkbox"/> Permanent or <input type="checkbox"/> Undefined			
		Major Description FY 15/16 A-Z Student Files Minor Description additional space if needed for the description				Reference #1							
2									<input type="checkbox"/> Permanent or <input type="checkbox"/> Undefined				
		Major Description				Reference #1							
		Minor Description											
3									<input type="checkbox"/> Permanent or <input type="checkbox"/> Undefined				
		Major Description				Reference #1							
		Minor Description											
4									<input type="checkbox"/> Permanent or <input type="checkbox"/> Undefined				
		Major Description				Reference #1							
		Minor Description											
5									<input type="checkbox"/> Permanent or <input type="checkbox"/> Undefined				
		Major Description				Reference #1							
		Minor Description											
*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the grey boxes.													
PREPARED BY FULL NAME				DATE		DIVISION ID		DEPARTMENT ID		TELEPHONE NO. AND EXTENSION		FLOOR	
IRM FORM TransPat (04) REV 208				PROVIDE ORIGINAL FORM TO IRON MOUNTAIN RECORDS MANAGEMENT. PHOTOCOPIY THIS ORIGINAL AND RETAIN FOR YOUR RECORDS.									

Riverside Community College District

Department Listing

Code	Description	Code	Description
10	Auxiliary Business Services-RCC	165	Health, Human, & Public Services-MV
12	Auxiliary Business Services-District	170	Human Resources-District
15	Academic Senate-RCC	175	Institutional Reporting-District
16	Academic Support-MV	180	Institutional Research-District
17	Academic Support-RCC	190	International Student Center-RCC
20	Educational Services-RCC	200	Inventory Control-District
25	Accounting Services-District	205	Law Enforcement -BCTC
30	Accounts Payable-District	210	Nursing-RCC
40	Accounts Receivable-District	220	Career & Tech. Edu./Work Force Prep.-RCC
55	Admissions & Records-BCTC	230	Payroll-District
60	Admissions & Records-RCC	237	Physician Assistant Program-MV
65	Admissions & Records-MV	240	Purchasing-District
70	Applied Technology-RCC	243	President's Office-RCC
80	Board of Trustees-District	245	Printing & Production-RCC
81	CalWORKs-RCC	246	Procurement Assistant Center-MEC
85	Chancellor's Office-District	247	Public Safety Emergency Training-BCTC
86	Community Education-RCC	250	Risk Management-District
87	Customized Solutions-MEC	251	Student Accounts-RCC
90	Disabled Student Services-RCC	255	Student Employment-RCC
93	Dental Hygiene-MV	259	Student Financial Services-MV
94	Dental Assisting-MV	260	Student Financial Services-RCC
95	Early Childhood Studies-RCC	261	Student Financial Services-NOR
97	Emergency Medical Services-BCTC	262	Student Services College Connection-RCC
100	Extended Opportunity Programs & Services -RCC	265	Teacher Preparation-RCC
110	Facilities-RCC	266	Title III/Stem-MV
115	Facilities Planning, Design & Const.-District	267	Title V-Norco
120	Budget-District	268	TriTech-MEC
125	Fire Technology-BCTC	269	Trio/SSS-RIV
130	Foundation-RCC	270	Tutorial-MV
131	Foster Kinship Care Education Program.-RCC	275	Upward Bound-RCC
135	Gateway-RCC	276	Upward Bound-Norco
140	Grants Accounting-District	280	Veterans Office-RCC
150	Grants & Contracts-District	281	Vice Chancellor, Business & Financial Services-District
160	Health Services-RCC	290	Workforce Prep-MV

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)