

**ADMINISTRATIVE PROCEDURE 3310 RECORDS RETENTION AND DESTRUCTION**

Records of the Peralta Community College District shall be retained, as appropriate, in accordance with applicable provisions of state and federal law.

**I. LEGAL DEFINITION OF RECORD CLASSIFICATIONS (Section 59020)**

What a record is: All records, maps, books, papers, data processing output, student records, and electronic documents prepared or retained in the course of official district business.

What a record is not: Additional copies of documents beyond the original or one copy; correspondence between district employees that does not pertain to personnel matters or constitutes a student record; advertisements and other sales materials received; or textbooks used for instruction, and other instructional materials, including library books, pamphlets and magazines.

**II. CLASSIFICATION OF RECORDS (Section 59022)**

Records shall be classified as either Class 1 – Permanent, Class 2 – Optional or Class 3 – Disposable.

- A. Class 1 – Permanent Records – As defined in California Code of Regulations Title 5, Section 59023. 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.

1. Examples of Class 1 – Permanent Records (Section 59023)

- a. Annual Reports:
  - i. Official budget
  - ii. Financial reports of all funds, including cafeteria and student body funds
  - iii. Audit reports
  - iv. Average daily attendance/full-time equivalent student (ADA/FTES) including Period 1 and Period 2 reports.
  - v. Other major annual reports, including:
    - 1. Those relating to property, activities, financial conditions, or transactions.
    - 2. Those declared by the Board minutes to be permanent.
- b. Official actions:
  - i. 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.
  - ii. 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 Governing 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.
  - iii. Records transmitted by another agency that pertain to that agency's action with respect to District reorganization.
- c. Personnel records of employees:
  - i. 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 records, other absence records (such as vacation cards and other

absence cards), retirement records, time worked, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid.

- d. Student records:
  - i. The records of enrollment and scholarship for each student, including but not limited to:
    - 1. Name of student
    - 2. Date of birth
    - 3. Place of birth
    - 4. Name and address of a parent having custody or a guardian, if the student is a minor.
    - 5. Entering and leaving date for each academic year and for any summer session or other extra session.
    - 6. Subjects taken during each year, half year, summer session, or quarter
    - 7. If grades or credits are given, the grades and number of credits toward graduation allowed for work taken.
      - a. 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 applicable statute of limitations has run.
  - ii. The following are NOT student records, as per Education Code Section
    - 1. Information provided by a student's parents relating to applications for financial aid or scholarships
    - 2. Information related to a student compiled by a community college officer or employee that remains in the sole possession of the maker and is not accessible or revealed to any other person except a substitute.
    - 3. Student information created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity that is created, maintained, or used only in connection with treatment of that student
    - 4. Information maintained by a community college law enforcement unit, if maintained solely for law enforcement purposes, and the information is not made available to persons other than law enforcement officials of the same jurisdiction.
    - 5. Information maintained in the normal course of business pertaining to persons who are employed by a community college, if the information relates exclusively to the person in that person's capacity as an employee.
- e. Property records:
  - i. 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:
    - 1. All fixed assets
    - 2. An equipment inventory
    - 3. 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.
- f. Archival records:
  - i. Not required by law to be kept permanently. District policy is to retain documents related to historical events of the District, yearbooks, plaques, awards, photographs, etc.

- g. Foundation records (District and Colleges):
  - i. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations and corresponding regulations governing operation of Title 26, USC, Section 501(c)(3) tax exempt non-profit organizations.
- B. Class 2 – Optional Records (Section 59024) – Not required by law to be retained permanently, but deemed worthy of further preservation as specified in Title 5, Section 59024. Any record not classified as Class 1 – Permanent may be classified as Class 2 – Optional and shall be retained until reclassified a Class 3 – Disposable.
- C. Class 3 – Disposable Records (Section 59025) – Required retention periods and procedures for destruction or transfer of records as specified in Title 5, Section 59026 and 59029. 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:
  - 1. Records basic to audit, including those related 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 detail records used in the preparation of any other report.
  - 2. Periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions.

### **III. MICROFILM, MICROFICHE, OPTICAL DISKS OR OTHER REPRODUCTION TECHNIQUES (Section 59022)**

Whenever an original Class 1-Permanent record is photographed, microphotographed, 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 this chapter if the following conditions have been met:

- A. The reproduction must be accurate in detail.
- B. 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.
- C. The Director of General Services or his designee, has attached to or incorporated in the copy or system a signed and dated certification of compliance with the provisions of 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.
- D. The copy was placed in an accessible location and provision was made for preserving permanently, examining and using same.

### **IV. RETENTION OF RECORDS (Section 59027)**

Each fiscal year, and before January 1, the College President, Vice Chancellor, or appointed designee, shall classify and review every record originated during the prior fiscal school year. The retention period for Class 3 – Disposable Records should be designated and such records should be physically segregated by the fiscal year in which they are scheduled for destruction. In the inventory process, copies, which are no longer useful to the District (except one copy of an original required by law to be filed with another agency), may be destroyed without making an inventory record.

With respect to college records, the President or designee, and with respect to the District, the Vice Chancellor or designee shall:

- A. Personally supervise the classification of records.
- B. Using only District approved, standard-sized, record storage boxes, mark each label as to classification, record title, and the school year in which records originated. If the records are classified as Class 3 – Disposable Records, the officer or designee shall also mark the school year in which such records are to be destroyed. Do not mix *different years* or Class 1 – Permanent Records and Class 2 – Optional Records with Class 3 – Disposable Records because when the destruction occurs, the *entire* box of records will be destroyed.
- C. Supervise the destruction of records.

#### V. RETENTION PERIOD (Section 59026)

- A. Generally, a Class 3 – Disposable Record, unless otherwise specified, should be destroyed during the third school year after the school year in which it originated (e.g., 1993-94 plus three years = 1996-97).
- B. With respect to records basic to an audit, 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 this part, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.
- C. With respect to Class 2 – Optional Records, a continuing record shall not be destroyed until the third year after it has been classified as Class 3 – Disposable.

#### VI. DESTRUCTION OF RECORDS (Section 59029)

- A. Class 1 – Permanent Records – Hard copy records can be destroyed only if originals have been microfilmed, microfiched, or similarly preserved. (Refer to Page 3, “III. Microfilm, Microfiche, and Optical Disks.”) After verification, hard copy records can be destroyed.
- B. Class 2 – Optional Records and Class 3 – Disposable Records – Records can be destroyed after termination according to the retention period.

With respect to college records, the President or designee, and with respect to the District, the Vice Chancellor or designee shall submit to the governing board a list of records recommended for destruction, and shall certify that no records are included in the list in conflict with these regulations in accordance with Section 59027 (b).

Disposal of records should be supervised and accomplished by burning, shredding, pulping, or other means to assure destruction, and to prevent reconstruction of the records to any degree.

#### VII. PREPARING RECORD BOXES FOR STORAGE

- A. Fill out Record Transmittal Form including the class code, description of contents, year in which the records originated, and the destruction date. Send the form to the Warehouse Department. If additional forms are needed, contact the Warehouse at extension 6381.
- B. Records must be stored only in District-approved, storage boxes. Using the label provided, fill in the classification code, record title, and the year in which the records originated. (Boxes without the above information will not be picked up for storage). Retain all record boxes in your area. Upon receipt of your request, the Warehouse staff will pick up the box, assign a box number to each box, and add that number to the Record Transmittal form. A copy of the form will be given to the department to retain for future retrievals.

**VIII. RETRIEVING AND RETURNING BOXES TO STORAGE**

- A. You must complete a *Storage Records Request Form*. (This form may be obtained from the Purchasing or Warehouse departments).
  - 1. Indicate whether you are requesting a withdrawal or a re-file.
  - 2. Indicate the site, department, and room where the box will be either picked up or delivered.
  - 3. Indicate the box number, which was assigned by the Warehouse. (The number is located on your copy of the Records Transmittal Form.
  - 4. Describe the contents of the box.
  - 5. Obtain the proper administrator's signature.
- B. Forward the completed form to the Warehouse (located at the District Office). The request may also be sent via fax (466-7279) to the Warehouse.
- C. The turnaround time for retrieval is usually one (1) working day from the time the Warehouse receives the request.
- D. If there are extraordinary circumstances, such as auditors, and time is most critical, please don't hesitate to contact the Warehouse at extension 7355.

**IX. COMPANY TO USE FOR DESTRUCTION**

- A. Contact Director of General Services for vendor name and contact information.
- B. Certification of destruction is provided.

**APPENDIX****I. Class 1 – Permanent Records**

Records to be retained permanently and the responsibility for maintenance 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 non-profit organizations.
- B. Vice Chancellor for Budget and Finance

1. Administrative Affairs
    - a. Budgets: State form, annual
    - b. Financial reports (quarterly and annual – all funds, including student body funds)
    - c. Annual audit
    - d. Budget allocation and planning review committee minutes
    - e. Apportionment notices and worksheets
    - f. Tentative budget
    - g. Adopted/Final budget
    - h. All worksheets and budget change forms/transfers
    - i. State 320 reports
  2. Fixed 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
  4. Risk Management
    - a. Certificates of Insurance from vendors
    - b. Worker's Compensation Insurance Certificate from vendors
  5. Safety
    - a. Hazardous Waste Generator Reports
    - b. Hazardous Bill of Lading
    - c. Hazardous Waste Manifests
- C. Vice Chancellor for Human Resources
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
    - f. Professional growth reports
    - g. Employee contracts
    - h. Collective bargaining agreements
    - i. Grievances
    - j. Unfair labor practices
  2. Risk Management/Employee Health Benefits
    - a. Health and benefits contracts
    - b. District certificates – proof of insurance certificates
    - c. District worker's compensation insurance reports
    - d. Workers' compensation claims files
    - e. Liability claims files
    - f. Insurance policies
    - g. Insurance summary of loss runs

- h. Employee benefits/fringe enrollment forms (retirees only)
- i. OSHA logs
- j. Accident or injury reports (all records for which a claim has been made)

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
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**

Records not required to be retained permanently and the length of retention for each record are for three, five, seven and ten years. Example:

	<u>Retention Period (Years)</u>
1. <u>Academic and Classified Employment Applications</u>	
Application for Employment <sup>1</sup>	3
Contract/Offer of Employment <sup>1</sup>	3
Employment Tests <sup>1</sup>	3
Letters of Recommendation <sup>1</sup>	3
Reclassification Request	3
Tenure Review Files/Portfolios <sup>2</sup>	3
2. <u>Business Operations/Fiscal Services</u>	
Conflict of Interest Statements	7
3. <u>District Accounting</u>	

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<sup>1</sup> Will be kept in personnel files of current employees until termination.

<sup>2</sup> 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.

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
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</u>	
Bids	3
Maintenance and Service Contracts	3
Purchase Order Listing and Supplement	3
Docket Awards and Independent Contractors	3
Purchase Orders	3
Purchase Requisitions	3
5. <u>Facility Planning</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</u>	7
7. <u>Foundations (District &amp; Colleges)</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 Balance and Balance Sheets	5



Investment Reports	5
Receipts for Donations (Thank-you Letters)	7
<b>8. <u>Auxiliary Services</u></b>	
A/P Check Listings	7
Bank Book	3
Bank Statements	3
Bookstore Inventory (annual)	3
Budget	7
Cancelled Checks	7
Cash Receipts/Deposits	7
Check Stubs	3
Community Education Application/Receipts	3
Daily Cash Sales Reports	3
Expenditure Vouchers	7
Financial Reports (monthly)	7
Invoices	3
Purchase Orders	3
Sales Receipts	3
Sales and Use Tax Slips	3
<b>9. <u>Maintenance</u></b>	
Inspection Reports	3
Preventative Maintenance Schedules	3
Surveys	3
Vandalism Reports	3
Vehicle Request Forms	3
<b>10. <u>Safety &amp; Security</u></b>	
Daily Activity Logs	3
Daily Dispatch Logs	3
Lost and Found Logs	3
Underground Storage Tanks Reports <sup>3</sup>	3
On-Campus Incident Reports	3
Alameda County Public Health Department Inspection Reports <sup>3</sup>	3
OSHA Inspection Reports <sup>3</sup>	3
Parking Citations	3
Periodic Campus Safety Inspection Reports/Inspections <sup>3</sup>	3
Petroleum Products Storage/Handler Training	3
Staff Training Records <sup>3</sup>	3
- Hazardous Waste Generator/Handler Training	
- Forklift Training	
- First Aid/CPR Training	
Student Disciplinary Records	7
Underground Storage Tanks Reports	3
<b>11. <u>Payroll</u></b>	
Duplicate Copies of Tax Returns/Tax Deposits	5
Copies of W-2 (including returned copies)	5
Cancelled/Voided Checks	5

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<sup>3</sup> Files are maintained at the District Office

W-4 and DE4 (Withholding Allowance Certificates)	5
Copies of Forms 941, 940, W-3, Schedule A, Schedule B	5
Unemployment Reports (DE9423)	5
12. <u>Risk Management/Employee Health Benefits</u>	
On-Campus Incident Reports (copies of incident reports that have potential risk to the District are received from Safety)	3
Employee Benefit/Fringe Enrollment Forms <sup>4</sup>	7
Property/Liability Reports	7
Reports on Theft and Vandalism	5
13. <u>Admissions</u>	
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 (BOGG-C Waiver)	3
Career Advance Placement Form (CAP)	3
California Community College – Fiscal Service Unit (CCFS)	5
320 Contact Hours by Class Audit Reports	
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. <u>Students' Health and Safety Records</u>	
Students Examinations and Health Records	7
Records Pertaining to Eligibility for Licenses Examinations	7
Records Pertaining to Patient Confidentiality	7
Unusual Occurrences	7
15. <u>Grants and Categorical Programs</u>	
Correspondence with Funding Agency <sup>5</sup>	5
Original Contracts and Contract Amendments <sup>5</sup>	5
Periodic Progress and Final Reports <sup>5</sup>	5

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<sup>4</sup> Will be retained for seven (7) years after termination.

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

Student Eligibility and Participation Records<sup>5</sup>

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**Responsible Manager:** Director of General Services

**Source of Law:**

California Code of Regulations, Title 5, § 59020 *et seq.*

Approved by Chancellor: April 12, 2012