



**COMPTON COMMUNITY COLLEGE DISTRICT
ADMINISTRATIVE REGULATIONS**

AR 6552 Records Retention and Destruction

**ISSUED: September 21, 2009
REVISED:**

The CEO directs that the following regulations apply to the retention and destruction of official records of Compton Community College District:

I. General Requirements

- A. All records retention and destruction shall be maintained as required by California Code of Regulations, Title 5, Section 59020 and other statutes as applicable by law.
- B. As required by statute, the District’s record review, retention, and destruction activities shall be conducted annually.
- C. The Board of Trustees is required by statute to approve or disapprove classification recommendations of the District’s record’s retention/destruction designee; order a reclassification when necessary or desirable; and authorize the destruction of records classified as Class 3, Disposal. The board action is required to be recorded in the minutes with destruction lists attached (California code of Regulations, Title 5, Section 59028).

II. District Delegation of Authority

- A. The Chief Business Officer (CBO) shall have the authority to issue procedures and arrange for the overall storage and/or destruction of District records as required by statute. Such procedures shall include personal supervision by the District’s designated records retention/destruction designee; standards and protocols for storing and labeling records sent to physical or electronic storage; supervision of the destruction of records; preparation and submission to the Board of Trustees of a list of records recommended for destruction, and certification that no records included in the list are in conflict with statutory regulations.
- B. Senior managers shall act as custodian for purpose of records retention and destruction for the area(s) under their supervision and shall develop internal procedures that ensure any and all documents sent to District “storage” fulfill District procedures specified by the CBO. Table AR-6551A, Custodians of District Records, below, identifies these areas.

TABLE AR-6552A CUSTODIANS OF DISTRICT RECORDS <i>(Listed Alphabetically)</i>	
<ul style="list-style-type: none"> • Chief Business Officer, Business Office • Dean, Human Resources • Dean, Student Services • Dean, Academic Affairs 	<ul style="list-style-type: none"> • Director, Facilities Planning and Development • Lieutenant, Campus Police • CEO, Board of Trustees



III. Statutory Definition of Records

A. Records are defined as “all records, maps, books, papers, data processing output, and electronic documents a community college district is required by law to prepare or retain by law or official duty” (Code of Regulations, Title 5, Section 59020(a)).

B. “Student records” are defined in California Education Code Section 76210” which states in relevant part:

Student records means 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 his or her duties whether recorded by handwriting, print, tapes, film, microfilm or other means.

C. **Exclusions:** California Code of Regulations, Title 5, Section 59020 states the following documents 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 constitutes 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.
5. Student records do not include “information maintained by a community college law enforcement unit, if the personnel of the unit do not have access to student records pursuant to Section 76243, the information maintained by the unit is kept apart from information maintained pursuant to Section 76210(a), the information is maintained solely for law enforcement purposes, and the information is not made available to persons other than law enforcement officials of the same jurisdiction. (Education Code Section 76210(4)).

IV. **Annual Record Review and Classification Requirements:** California Code of Regulations, Title 5, Section 59022 requires the District to establish an annual procedure by which documents and papers received or produced during the prior academic year are classified reviewed, classified, stored, or destroyed as follows.



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- A. **Prior Year Records:** The Chief Business Officer, in consultation with the Director, Fiscal Affairs, shall initiate the district's annual review of records using the statutory classifications as follows.
1. **Class 1 / Permanent Records:** The original of each of annual reports, official actions, employee records, student records and property records shown in Table AR-6552B, Record Classifications and Retention Timelines, below, shall be retained indefinitely. In the event the original of a Class 1 record is required by law to be filed with another agency, an exact copy of the original shall be retained indefinitely.
 2. **Class 2 / Optional Records:** Any record worthy of further preservation but not classified as Class 1, Permanent, may be classified as Class 2, Optional. Class 2 records shall be retained until reclassified as Class 3, Disposable. If the records of a prior year are not classified before July 1, all records of the previous year shall be classified as Class 2, Optional, pending further review. Such review and classification is must occur within one (1) year. (Title 5, Section 59024).
 3. **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.
 - 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., 2002 – 03 plus three equals 2005 – 06). A Class 3, Disposable, 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.
 - b) Federal programs, including various student aid programs, may require longer retention periods and such program requirements shall take precedence over the requirements contained herein.
 - c) A continuing record shall not be destroyed until the third year after it has been classified as Class 3, Disposable.
- B. **Records Not Classified Before July 1, 1976:** All records not classified prior to July 1, 1976 are subject to the same review and classification as Class 1, Permanent records. If such records are three (3) or more years old and classified in Class 3, Disposable, they may be destroyed without further delay but in accordance with procedures for destruction.
- C. **Current Year Records:** Records originating during a current college year shall not be classified during that year.



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D. **Continuing Records:** Records of a continuing nature shall not be classified until such usefulness has ceased, i.e., records that are active and useful over a period of years for administrative, legal, fiscal, or other purposes.

TABLE 6552B RECORD CLASSIFICATIONS AND RENTENTION PERIODS	
TYPE OF RECORD	RETENTION PERIOD
Class 1 / Permanent Records	
<p>1. Annual Reports</p> <ul style="list-style-type: none"> • Official budget reports • Financial reports of <u>all</u> funds • FTES, including Period 1 and Period 2 reports • Other major annual reports relating to property, activities, financial condition, transactions and those declared by board minutes to be permanent <p>2. Official Actions</p> <ul style="list-style-type: none"> • Board or committee minutes, including text of rules, regulations, policies or resolutions referenced but not included in minutes • Elections, including the call, if any, for and the result of an election called, conducted, or canvassed by the governing board for a board member, the board's member's recall, issuance of bonds, incurring any long-term liability, change in maximum tax rates, reorganizations, or any other purpose • Records transmitted by another agency that pertain to that agency's action with respect to district reorganization <p>3. Employee Personnel Records:</p> <ul style="list-style-type: none"> • 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 person or agency to which such amounts were paid. <p>4. Student Records: Records of enrollment and scholarship for each student. Such records may included but need not be limited to:</p> <ul style="list-style-type: none"> • Name of student, date of birth, place of birth; • Name and address of parent having custody or guardian, if 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; and • If grades or credits are given, the grades and number of credits toward graduation allowed for work taken. 	Indefinitely ¹
Class 2 / Optional Records	
<ul style="list-style-type: none"> • Any record other than continuing records not classified as Class 1, Permanent or Class 3, Disposable. 	Until reclassified as Class 3
Class 3 / Disposable	
<ul style="list-style-type: none"> • All records other than continuing records not classified as Class 1, Permanent or Class 2, Optional. 	Three years.
<p>¹ The original copy of each record, or one <u>exact</u> copy thereof when the original is required by law to be filed with another agency shall be retained indefinitely unless photographed, microphotographed, or otherwise reproduced on film or electronically. The original record may then be classified as Class 3 and destroyed following statutory requirements.</p>	



E. ***Student Health Center Records:*** Student Health Center's shall maintain student health records for a minimum of seven (7) years. Contractual student health center services can be authorized to maintain student health records in accordance with the contractor's records policy but the contract require that the contractor maintain student health records for a minimum of seven (7) years.

F. ***Statute of Limitations:*** In addition to periods of retention required by the Board of Governors, a district may desire for its own benefit to maintain some records at least beyond the statutory period for bringing suits upon these records. If the district has any particular inquiry in placing any records in the proper classifications, the doubt should be resolved in favor of the longer retention period.

V. ***Manner of Destruction:*** Records ordered for destruction shall be permanently destroyed by such foolproof methods as shredding, burning or pulping; and such destruction shall be supervised by the chief executive officer or other designee (Title 5, Section 59029).

A. **Records Destroyed by Conflagration or Public Calamity**

1. If the records of an instructor or District are destroyed by conflagration or public calamity during a college year which prevents "the instructor and college officers from making their annual reports in the usual manner and with accuracy, affidavits of the instructor, the president or other officers of the district certifying as to the contents of the destroyed register or other records, shall be accepted by all college authorities for all purposes pertaining to the district, except that of calculations of full-time equivalent students." (Title 5, Section 59030).
2. Whenever the full-time equivalent student (FTES) of the District are "are materially affected in any college year by conflagration, public calamity, or epidemic or unusual duration and prevalence, the regular annual reports of the instructor, the president, or officers of the District, shall be accepted by all college officers for all matters pertaining to the district, except that of full-time equivalent student." (Title, 5, Section 59031)
3. Attendance accounting related to attendance records that have been lost or destroyed are required by statute to be made in accordance with Title 5, Section 58031.

B. ***Microfilm and Electronic Format of Records:*** 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:



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1. The reproduction was accurate in detail.
2. The Chief Business Officer 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.
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.

Reference:

Title 5, Sections 16022, 16026, 16035, 54606, 54608, 59020 – 59029
California Education Code, Sections 76220 – 76225, 76230 – 76234
California Evidence Code 1531
California State Administrative Manual, Section 1602