

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

Note: This procedure is legally required. Local procedures regarding the classification, retention, and destruction of records may be inserted here. Procedures should include or address the following concepts:

“Records” means all 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 “electronically stored information” (“ESI”), as that term is defined by the Federal Rules of Civil Procedure.

The [designate position] shall supervise the classification and destruction of records and ESI. The District must preserve ESI and ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil Procedure. The District shall comply with the Federal Rules of Civil Procedure and produce relevant ESI in the form in which it is ordinarily maintained or readily usable. An annual report shall be made to the Board of Trustees regarding the classification and destruction of records and ESI.

Records shall be classified as required by Title 5 and other applicable statutes, federal and state regulations.

Records shall annually be reviewed to determine whether they should be classified as Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable (as defined in Title 5).

Class 3 – disposable records shall be maintained for the period required by applicable law or regulation, but in any event shall be retained for at least three college years after the year in which they were originally created.

Destruction is by any method that assures the record is permanently destroyed, e.g. shredding, burning, and pulping.

Revised 2/07, 2/08

(Note: 9/26/07 - Martha P. - Green)