



Administrative Procedure

Chapter 3 – General Institution

AP 3310 – RECORDS RETENTION AND DESTRUCTION

Title 5, California Administrative Code, Section 59020 et seq., is the primary governing regulation under which the District must classify and retain or dispose of its records. This procedure is applicable to all District offices where recorded information or copies thereof, without regard for the medium in which recorded, are created, stored, received, or used in the conduct of District business.

DEFINITIONS

1. “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 defined by the Federal Rules of Civil Procedure.
2. Office of Record File is the functional area (office of primary responsibility) that contains the original, most complete, and up-to-date information needed or required by the District
3. Detail information is the forms, memos, data creation sheets, and other original documents used to effect actions or transmit information (including general correspondence).
4. Summary information is the display/report/ledger used to account for or consolidate the information collected.
5. Records retention schedule(s) specify for each record or group of records:
 - a. How long they will be kept in the office
 - b. How long they will be kept in storage
 - c. When they will be destroyed
 - d. If they are the Office of Record file copy
 - e. If the records contain sensitive information (see paragraph 2 under regulations) and access must be restricted by law.

REGULATIONS

1. The administrator of each office, designated under Section 59027 of Title 5, is to review the recorded information received or produced during the previous year and to classify it for retention or disposition under the provisions of law. The administrator of an office exists at any level where responsibility has been assigned, or responsibility exists at any level where responsibility has been assigned, or responsibility exists as an inherent part of the duties assigned.
2. Recorded information and copies thereof without regard for the medium of recordation and which is about:

- a. an identifiable student;
 - b. an employee;
 - c. internal District operations, as defined in Section 6254 of the Government Code, and shall be treated as sensitive information. Disposition shall be through the records retention and disposition channel or if not classified as records shall be transferred to the Central Distribution Center in a properly labeled approved container.
3. All recorded information classified as a record shall be classified in the office possessing the recorded information and either retained in the office or if transferred, be properly labeled in an approved container to the Central Distribution Center's Records Storage, and the transfer recorded on an office records log retained by the originating office.
 4. Records classified Class 2 Optional shall not be transferred to the Central Distribution Center until classified as either Class 1 Permanent or Class 3 Disposable.
 5. Records shall only be accepted by the Central Distribution Center when they are identified with properly completed label forms and enclosed in approved containers as prescribed by this procedure.
 6. The District shall not destroy records except via shipment to the Central Distribution Center.

IMPLEMENTATION

1. The administrator of each office, designated under Section 59027 of Title 5, shall:
 - a. Establish and maintain a continuing office records log;
 - b. Annually review all recorded information received or produced during the previous school year; classify it in accordance with Title 5 California Administrative Code, sections 59020 et seq.;
 - c. Effect retention/disposition under the provisions of this procedure;
 - d. Use only an approved container box ("Bankers Box") for records identified as Class 1 and 3. Box must have a security string-and-button closure and only the following two (2) sizes are accepted: 12"x24"x10" or 15"x24"x10". Records identified as "Sensitive" may be transferred in any size box, as these records will be destroyed quickly and not stored;
 - e. Identify and use the following appropriate forms (commonly referred to as Records Storage Label) for each container:
 - AP 3310 – Sensitive Information (Attachment A)
 - AP 3310 – Class 3 Disposable (Attachment B)
 - AP 3310 – Class 1 Permanent (Attachment C)
 - f. Place or affix appropriate label form in three (3) specific locations of each container box: 1) inside on top of contents, 2) on one side, and 3) on the front.
 - g. Make arrangements to transfer all Sensitive, Class 1 and/or Class 3 records to Central Distribution Center. Record boxes must be properly labeled.
2. The Central Distribution Center shall:
 - a. Effect continuous disposition of recorded sensitive information received in containers and identified as sensitive;
 - b. Transmit a listing of Class 3 Disposable records to the appropriate District Executive Officer or Vice President of Administrative Services upon the expiration of the "destroy

after” date noted on the label. The listing shall contain information taken directly from the label form.

- c. Supervise destruction of all District records; and
- d. Retain the certified destruction documents upon completion.

DESTRUCTION

The applicable District Executive Officer or campus Vice Presidents of Administrative Services, or their designees, shall authorize the classification and destruction of records and ESI for their applicable departments and/or campus records. The District must preserve ESI 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 with a minimum retention of at least three college years after the year in which they were originally created.

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

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

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AND AP 3310 – 02/01/23