

INSPECTION OF PUBLIC RECORDS OF THE DISTRICT BP 1270

Definitions of Records

1. The term “records” means all records, maps, books, papers, data processing output, and documents of Cabrillo Community College District required by law to be prepared or retained or which are prepared or retained as necessary or convenient to the discharge of official duty. Records include “student records” as defined in Section 76210 of the Education Code.

2. The following documents are not “records” and may be destroyed at any time:

- (a) Mimeographed, otherwise duplicated, or carbon copies, except the original or one copy. (A person receiving a duplicated copy need not retain it.)
- (b) An individual memorandum, other than one relating to personnel matters, or other than a student record, between one employee and another employee of the District.
- (c) Advertisements and other sales material received.
- (d) Textbooks, maps used for instruction, and other instructional materials, including library books, pamphlets and magazines.

3. Classification of Records

- (a) Each department head of the college will review documents of papers received or produced during the prior academic year and classify them as *Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable*.
- (b) All records not classified prior to July 1, 1986, are subject to the same review and classification as in (1). If such records are three (3) or more years old and classified as Class 3 – Disposable, they may be destroyed without further delay, but in accordance with Article 3.
- (c) *Current Year Records*. Records originating during a current school year shall not be classified during that year.
- (d) *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.
- (e) *Microfilm Copy*. Whenever an original Class 1 – Permanent record is photographed, microphotographed, or otherwise reproduced on film, 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 District policy and current legal requirements if the following conditions have been met:
 - 1. The reproduction was accurate in detail and on film of a type approved for permanent, photographic records by the United States Bureau of Standards.
 - 2. The administrator, division chairperson or department head has forwarded to the records officer or designee a signed and dated certificate of compliance, stating that the copy is a correct copy of the original. A copy of this certificate must be incorporated with or attached to the microfilm copy. The microfilm copy has been placed in an accessible location and provision has been made for its preservation, examination, and use.

4. Period of Retention

A. Class 1 – Permanent Records. The original of each of the records listed in this section, or one exact copy thereof when the original is required by law to be filed with another agency, is a Class 1 – Permanent record and shall be retained indefinitely, unless

microfilmed.

1. *Annual Reports*

- (a) Official budget.
- (b) Financial report of all funds.
- (c) Audit of all funds.
- (d) Average daily attendance, reports.
- (e) Other major annual reports, including:
 - (1) Those containing information relating to property, activities, financial condition, or transactions.
 - (2) Those declared by Board minutes to be permanent.

2. *Official Actions*

- (a) Minutes of the Board or Committees Thereof. Including the text of a rule, regulation, policy or resolution not set forth verbatim in the minutes but included therein by reference only.
- (b) 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 other purpose.
- (c) Records transmitted by another agency that pertain to that agency's action with respect to District reorganization.

3. *Personnel Records of Employees*

All detail 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 the detail 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 detail records may then be classified as Class 3 – Disposable.

4. *Student Records*

- (a) The records of enrollment and scholarship for each student.
- (b) 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 (1) year after the claim has been settled or after the applicable statute of limitations has run.

5. *Property Records*

All detail records relating to land, building, and equipment. In lieu of such detail records, a complete property ledger may then be classified as Class 3 – Disposable, if the property ledger includes:

- (a) All fixed assets.
- (b) An equipment inventory.
- (c) 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 or otherwise.

B. **Class 2 – Optional Records.** Any record worthy of further preservation but not classified as Class 1 – Permanent may be classified as Class 2 – Optional and shall then be retained until reclassified as Class 3 – Disposable. If the Superintendent/President, or

division chairperson or department head, determines that classification should not be made by the time specified in Section 3, subdivision (a) of this policy, all records of the prior year may be classified as Class 2 – Optional, pending further review and classification within one year.

C. 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, detail records relating to:

(a) Records Basic to audit, including those relating to attendance, average daily attendance, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets, canceled checks and stubs, student body and cafeteria funds records, etc.), and detail records used in the preparation of any other report.

(b) Periodic Reports, such as daily, weekly, and monthly reports, bulletins, and instructions.

D. Retention Period

(a) Generally, a Class 3 – Disposable record, unless otherwise specified in this policy, should be destroyed during the third school year after the year in which it originated (e.g., 1976-77 plus 3>1979-80).

(b) With respect to records basic to an audit, a Class 3 – Disposable record shall not be destroyed until after the second July 1 succeeding the completion of the audit required by Education Code Section 17206 or of any other legally required audit, or after the ending date of any retention period required by an agency other than the State of California, whichever date is later.

(c) Continuing Record. A continuing record shall not be destroyed until the third year after it has been classified as Class 3 – Disposable.

E. Procedures for Destruction

(a) Superintendent/President Actions.

1. The Superintendent/President or his/her designee shall:

- a. personally supervise the classification of records;
- b. mark each file or other container as to classification and the unit in which the records originated. If the records are classified as Class 3 – Disposable, the Superintendent/President shall also mark the school year in which such records are to be destroyed; and
- c. supervise the destruction of records.

2. The Superintendent/President shall submit to the Board a list of records recommended for destruction, and shall certify that no records are included in the list in conflict with these regulations.

3. The Board Action will:

- a. approve or disapprove the recommendation of the Superintendent/President.
- b. order a reclassification when necessary or desirable; and (c) order by action recorded in the minutes (with lists attached) of records in accordance with this policy.

Legal Reference: *Education Code Sections 72600, 72603 and 72620; Government Code Sections 6252, 6253 and 6254; and CA. Adm. Code Sections 59020-59029 and 54608.*

Adopted: February 1, 1988