

General Institution

1 AP 3310 RECORDS RETENTION AND DESTRUCTION

2 References:

- 3 Title 5, Section 59020 et seq.;
- 4 Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45

5 The District shall adhere to the following in carrying out its records retention and
6 destruction responsibilities:

- 7 • “Records” means all records, maps, books, papers, data processing output, and
8 documents of the District required by Title 5 to be retained, including but not limited
9 to records created originally by computer and “electronically stored information”
10 (“ESI”), as that term is defined by the Federal Rules of Civil Procedure.
- 11 • The Vice President, Business Services shall supervise the classification and
12 destruction of records, including ESI.
- 13 • Preservation of records, including ESI.
- 14 • Preservation of records, including ESI, that are relevant to actual or potential
15 litigation pursuant to the Federal Rules of Civil Procedure.
- 16 • Compliance with the Federal Rules of Civil Procedure and shall produce relevant
17 ESI in the form in which it is ordinarily maintained or readily usable.
- 18 • Submission on an annual basis of a report to the Board of Trustees regarding the
19 classification and destruction of records, including ESI.
- 20 • Records shall be classified as required by Title 5, state and federal regulations,
21 and other applicable statutes.
- 22 • Records shall be reviewed annually to determine whether they should be classified
23 as Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable (as defined
24 in Title 5).
- 25 • Class 3 – disposable records shall be maintained for the period required by
26 applicable law or regulation, but in any event shall be retained for at least three
27 college years after the year in which they were originally created.
- 28 • Destruction shall be carried out by any method that assures the record is
29 permanently destroyed, e.g. shredding, burning, and/or pulping.

30 The District shall indefinitely maintain the following:

- 31 • A record of allegation(s) of childhood sexual assault reported to the District;
- 32 • A record of the actions the District took in response to a report of allegations of
33 childhood sexual assault, including a written determination and corrective action,
34 if any;
- 35 • A record of any appeal of the District’s determination or corrective action and the
36 outcome of the appeal; and
- 37 • All training materials addressing the prohibition and investigation of childhood
38 sexual assault.

39 Office of Primary Responsibility: Vice President, Business Services

Date Approved: November 26, 2007

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