The District’s Procedure on Retention and Destruction of Personnel Records:

1. **Active Personnel Records:**
   
   (a) Active employee personnel records are maintained in a secure and confidential location, records are kept in secure filing cabinets within the Office of Human Resources. Access is restricted to authorized staff only.

   (b) Documents received or produced during the prior academic year are classified as Class 1-Permanent, Class 2-Optional, or Class 3-Disposable. A list of classified personnel documents is maintained and available in the Office of Human Resources.

2. **Inactive Personnel Records:**

   (a) Inactive employee personnel records are kept indefinitely in a digital format in DocuXplorer, a secure document management and storage software system. The system is password protected and is backed up weekly.

   (b) Each digital record has a dated Certification of Compliance signed by the Vice President of Human Resources/Assistant Superintendent incorporated into it.

The inactive employee personnel records that have been digitally kept are destroyed during the third college year after they have been classified as a Class 3-Disposable record. The destruction of such records is done by a contracted shredding firm. This firm picks up the records and destroys them on the District’s property.

**Title 5 Regulations on Retention and Destruction of Records**  
(Section 59020 of Article 1 of Subchapter 2.5 of Chapter 10 of Division 6 of Title 5 of the California Code of Regulations)

**§59020 Definition of Records**

As defined in Section 59020 of Title 5 California Code of Regulations: “records” means all records, maps, books, papers, data processing output, and electronic documents that a Community College district is required by law to prepare or retain by law or official duty.

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

1) Additional copies of documents beyond the original or one copy.
2) Correspondence between district employees that does not pertain to personnel matters or constitute a student records
3) Advertisements and other sales material received
4) Textbooks used for instruction, and other instructional materials, including library books, pamphlets and magazines.

§59021 Scope of Chapter

The provisions of this chapter apply only in the event that the destruction or retention of records by the district is not otherwise authorized or provided for by law.

§59022 Classification of Records

(a) The governing board of each Community College district shall establish an annual procedure by which the chief executive officer, or other designee shall review documents and 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, 1976, are subject to the same review and classification as in (a). If such records are three or more years old and classified as Class 3-Disposable (see definition that follows), they may be destroyed without further delay, but in accordance with article 3 (procedures for destruction).

(c) Records originating during a current academic year shall not be classified during that year.

(d) 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) Whenever an original Class 1-Permanent record is photographed, microphotography, or otherwise reproduced on film or electronically, the copy thus made is hereby classified as Class 1-Permanent. The original records, unless classified as Class 2-Optional, may be classified as Class 3-Disposable, and may then be destroyed in accordance with this chapter if the following conditions have been met:

(1) The reproduction was accurate in detail
(2) The chief executive officer, or other designee, has attached to or incorporated in the copy or system a signed and dated certification of compliance with the provisions of section 1531 of the Evidence Code, 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 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.
Definition of Records

§59023 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 copied or reproduced in accordance with Subsection (e) of Section 59022.

c) The following 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 records, 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 school district containing the same data may be classified as Class 1-Permanent, and the detail records may then be classified as Class 3-Disposable.

§59024 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 chief executive officer, or other designee, determines that classification should not be made by the time specified in section 59022, all records of the prior year may be classified as Class 2-Optional, pending further review and classification within one year.

§59025 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.

§59026 Retention Period

(a) Generally, a Class 3-Disposable record, unless otherwise specified, should be destroyed during the third college year after the college year in which it originated (e.g., 2013-14 plus 3 = 2016-2017). Federal programs, including various student aid programs, may require longer retention periods and such program requirements shall take precedence over the requirements contained herein.

(b) With respect to records basic to an audit, a Class 3-Disposable record shall not be destroyed until after the third July 1 succeeding the completion of the audit required by Education Code Section 94040 or of any other legally required audit, or that period specified by Section 59118, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.

(c) With respect to continuing records, a continuing record shall not be destroyed until the third year after it has been classified as Class 3-Disposable.