

**Policy 3580: District Records**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2009 | **Last Revised Date:**  
05/01/2016 | **Last Reviewed Date:** 05/01/2016

**Classification of Records**

Records means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

Before January 1, the Superintendent or designee shall review the prior year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) record. (5 CCR 16022)

Records of continuing nature (active and useful for administrative, legal, fiscal, or other purposes over a period of years) shall not be classified until such usefulness has ceased. (5 CCR 16022)

An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from district ownership. (5 CCR 16022)

A student's cumulative record is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required audit may be destroyed prior to the second July 1st succeeding the completion of the audit. (Education Code 35254)

**Class 1 - Permanent Records**

The original of each of the following records, or one exact copy of it 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 in accordance with 5 CCR 16022: (5 CCR 16023)

1. Annual Reports
  1. Official budget
  2. Financial reports of all funds, including cafeteria and student body funds
  3. Audit of all funds

4. Average daily attendance, including Period 1 and Period 2 reports
5. Other major annual reports, including:
  1. Those containing information relating to property, activities, financial condition, or transactions
  2. Those declared by Governing Board minutes to be permanent
2. Official Actions
  1. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only
  2. The call for and the result of any elections called, conducted, or canvassed by the Board
  3. Records transmitted by another agency pertaining to its action with respect to district reorganization

### 3. Personnel Records

Class 1 (Permanent) records include all detailed records relating to employment; assignment; 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; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as a Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

### 4. Student Records

The records of enrollment and scholarship for each student required by 5 CCR 432 and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law shall be classified as Class 1 (Permanent) records. These include any related policy of liability insurance, except that these records cease to be Class 1 (Permanent) records one year after the claim has been settled or the statute of limitations has expired.

### 5. Property Records

Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as a Class 1 (Permanent) record. The detailed records may then be classified as Class 3

(Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, amount paid, and comparable data if the unit is disposed of.

### **Class 2 - Optional Records**

Any records considered temporarily worth keeping, but which are not Class 1 records, may be classified as Class 2 (Optional) records and shall be retained until reclassified as Class 3 (Disposable) records. If, by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified as Class 2 (Optional) records pending further review and classification within one year. (5 CCR 16024)

### **Class 3 - Disposable Records**

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to, detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent) records; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

All Class 3 (Disposable) records shall be destroyed during the third school year after the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following the completion of any legally required audit or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

### **Electronically Stored Information**

All electronically stored information related to the conduct of district business, including information created, saved, sent, or received on a district employee's or Board member's personal account or device, shall be saved as an electronic file to a district-provided account or device and retained in accordance with the section "Classification of Records" above. Such information includes, but is not limited to, email, text messages, instant messages, computer files, and other electronic communications related to district business. In addition, when appropriate, the information may be printed and physically filed in a way that allows it to be easily retrieved when needed.

Employees shall be required to regularly purge their email accounts and district-issued computers, cell phones, and other communication devices of personal electronically stored information and other information unrelated to district business. The Superintendent or designee may check for appropriate use of any district-owned equipment at any time.

Any person to whom a district-owned computer, cell phone, or other electronic communication device is provided shall be notified about the district's electronic information management system and, as necessary, provided training on the effective use of the device.

<b>State</b>	<b>Description</b>
5 CCR 16020-16022	Records; general provisions
5 CCR 16023-16027	District records; retention and destruction
5 CCR 430	Individual student records; definition
5 CCR 432	Student records
Civ. Code 1798.29	<u>District records; breach of security</u>
Code of Civil Procedure 1985.8	<u>Electronic Discovery Act</u>
Code of Civil Procedure 2031.010-2031.060	<u>Civil Discovery Act; scope of discovery demand</u>
Code of Civil Procedure 2031.210-2031.320	<u>Civil Discovery Act; response to inspection demand</u>
Ed. Code 35145	<u>Public meetings</u>
Ed. Code 35163	<u>Official actions, minutes and journal</u>
Ed. Code 35252-35255	<u>Records and reports</u>
Ed. Code 44031	<u>Personnel file contents and inspection</u>
Ed. Code 49065	<u>Reasonable charge for transcripts</u>
Ed. Code 49069.7	<u>Absolute right to access</u>
Gov. Code 12946	<u>Fair Employment and Housing Act: discrimination prohibited</u>
Gov. Code 6205-6210	<u>Confidentiality of addresses for victims of domestic violence, sexual assault, stalking, or child abduction</u>
Gov. Code 7920.000-7930.170	<u>California Public Records Act</u>
Pen. Code 11170	<u>Retention of child abuse reports</u>
<b>Federal</b>	<b>Description</b>
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
34 CFR 99.1-99.8	Family Educational Rights and Privacy Act
<b>Management Resources</b>	<b>Description</b>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Secretary of State</u>
<b>Code</b>	<b>Description</b>
0440	<u>District Technology Plan</u>
0440	<u>District Technology Plan</u>
1100	<u>Communication With The Public</u>
1112	<u>Media Relations</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
2121	<u>Superintendent's Contract</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3311	<u>Bids</u>

3311	<u>Bids</u>
3440	<u>Inventories</u>
3452	<u>Student Activity Funds</u>
3460	<u>Financial Reports And Accountability</u>
3460	<u>Financial Reports And Accountability</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
3514.2	<u>Integrated Pest Management</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516.5	<u>Emergency Schedules</u>
3523	<u>Electronic Signatures</u>
3523	<u>Electronic Signatures</u>
3542	<u>School Bus Drivers</u>
3543	<u>Transportation Safety And Emergencies</u>
3550	<u>Food Service/Child Nutrition Program</u>
3550	<u>Food Service/Child Nutrition Program</u>
3551	<u>Food Service Operations/Cafeteria Fund</u>
3551	<u>Food Service Operations/Cafeteria Fund</u>
3552	<u>Summer Meal Program</u>
3552	<u>Summer Meal Program</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4040	<u>Employee Use Of Technology</u>
4040-E(1)	<u>Employee Use Of Technology</u>
4111.2	<u>Legal Status Requirement</u>
4111.2	<u>Legal Status Requirement</u>
4112.2	<u>Certification</u>
4112.2	<u>Certification</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.5	<u>Criminal Record Check</u>
4112.5-E(1)	<u>Criminal Record Check</u>
4112.6	<u>Personnel Files</u>
4112.9	<u>Employee Notifications</u>
4112.9-E(1)	<u>Employee Notifications</u>
4113	<u>Assignment</u>
4113	<u>Assignment</u>
4113.5	<u>Working Remotely</u>
4119.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint</u>
	<u>Procedures</u>
4119.12-E(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint</u>
	<u>Procedures</u>
4119.21	<u>Professional Standards</u>
4119.21-E(1)	<u>Professional Standards</u>
4119.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4119.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4119.42-E(1)	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4131	<u>Staff Development</u>
4151	<u>Employee Compensation</u>
4211.2	<u>Legal Status Requirement</u>
4211.2	<u>Legal Status Requirement</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.5	<u>Criminal Record Check</u>
4212.5-E(1)	<u>Criminal Record Check</u>
4212.6	<u>Personnel Files</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4213.5	<u>Working Remotely</u>
4217.11	<u>Preretirement Part-Time Employment</u>

4219.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4219.12-E(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4219.21	<u>Professional Standards</u>
4219.21-E(1)	<u>Professional Standards</u>
4219.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4219.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4219.42-E(1)	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4231	<u>Staff Development</u>
4251	<u>Employee Compensation</u>
4311.2	<u>Legal Status Requirement</u>
4311.2	<u>Legal Status Requirement</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.5	<u>Criminal Record Check</u>
4312.5-E(1)	<u>Criminal Record Check</u>
4312.6	<u>Personnel Files</u>
4312.9	<u>Employee Notifications</u>
4312.9-E(1)	<u>Employee Notifications</u>
4313.5	<u>Working Remotely</u>
4319.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4319.12-E(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
4319.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4319.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4319.42-E(1)	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4331	<u>Staff Development</u>
4351	<u>Employee Compensation</u>
5111.1	<u>District Residency</u>
5111.1	<u>District Residency</u>
5113.2	<u>Work Permits</u>
5113.2	<u>Work Permits</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5125.1	<u>Release Of Directory Information</u>
5125.1	<u>Release Of Directory Information</u>
5125.1-E(1)	<u>Release Of Directory Information</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5143	<u>Insurance</u>
5143	<u>Insurance</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>

6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>
6158	<u>Independent Study</u>
6158	<u>Independent Study</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9012	<u>Board Member Electronic Communications</u>
9324	<u>Minutes And Recordings</u>