

Regulation 3580: District Records

Status: DRAFT

Original Adopted Date: Pending

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An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from district ownership.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

- a. Official budget
- b. Financial reports of all funds, including cafeteria and student body funds
- c. Audit of all funds
- d. Average daily attendance, including Period 1 and Period 2 reports
- e. Other major annual reports, including:
 - i. Those containing information relating to property, activities, financial condition, or transactions
 - ii. Those declared by Governing Board minutes to be permanent

2. Official Actions

- a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only
- b. The call for and the result of any elections called, conducted, or canvassed by the Board
- c. 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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
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	District records; breach of security - https://simbli.eboardsolutions.com/SU/LBkkDX8OIBFu9JplusO9hdW9w==
Code of Civil Procedure 1985.8	Electronic Discovery Act - https://simbli.eboardsolutions.com/SU/18uDMWbz9B5rpSjjGu7hRw==
Code of Civil Procedure 2031.010-2031.060	Civil Discovery Act; scope of discovery demand - https://simbli.eboardsolutions.com/SU/xINv4kIxKcElgqoCHUuHNA==
Code of Civil Procedure 2031.210-2031.320	Civil Discovery Act; response to inspection demand - https://simbli.eboardsolutions.com/SU/8tslshb1gQRCitVej3j91pUsw==
Ed. Code 35145	Public meetings - https://simbli.eboardsolutions.com/SU/2zbplusTYPnqJITCLZ5nGLluA==
Ed. Code 35163	Official actions, minutes and journal - https://simbli.eboardsolutions.com/SU/7APGMyznAnJOc6A3BG3eplusA==
Ed. Code 35252-35255	Records and reports - https://simbli.eboardsolutions.com/SU/Gvgt1zwaFXXppqPaahvbCA==
Ed. Code 44031	Personnel file contents and inspection - https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==
Ed. Code 49065	Reasonable charge for transcripts - https://simbli.eboardsolutions.com/SU/IUnlWxsDB3laoduPY1woQ==
Ed. Code 49069.7	Absolute right to access - https://simbli.eboardsolutions.com/SU/EHlMASPO6oOVNZwSekvNtg==
Gov. Code 12946	Fair Employment and Housing Act: discrimination prohibited - https://simbli.eboardsolutions.com/SU/wjtLdzTqqwlov2Syc5bhMQ==
Gov. Code 6205-6210	Confidentiality of addresses for victims of domestic violence, sexual assault, or stalking - https://simbli.eboardsolutions.com/SU/slshNlpluspfwcfBmAniRplusqvJFiA==
Gov. Code 7920.000-7930.170	California Public Records Act - https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==
Pen. Code 11170	Retention of child abuse reports - https://simbli.eboardsolutions.com/SU/1KIGfiboslshYwywplusDiCkByng==

Federal References

	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974

Management Resources References

Website

Description

CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website

California Secretary of State -
<https://simbli.eboardsolutions.com/SU/slshUd8r0G1B6GmkfkmqmQslsh5w==>

Cross References

0440

Description

District Technology Plan -
<https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==>

0440

District Technology Plan -
<https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==>

1100

Communication With The Public -
<https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==>

1112

Media Relations -
<https://simbli.eboardsolutions.com/SU/3IHEaJYmsnDktqG0qiC94Q==>

1113

District And School Websites -
<https://simbli.eboardsolutions.com/SU/uS0gx6gDkhXV2zyG1glLaQ==>

1113

District And School Websites -
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1113-E(1)

District And School Websites -
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1312.3

Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/CfApluscpxRIZplusOj2ImuhfqbaA==>

1312.3

Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/NaAoUplustL0gdMDg4YyrqkSQ==>

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Uniform Complaint Procedures -
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1312.3-E PDF(2)

Uniform Complaint Procedures -
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1340

Access To District Records -
<https://simbli.eboardsolutions.com/SU/ilradJh510f82Bjhbu4vRw==>

1340

Access To District Records -
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2121

Superintendent's Contract -
<https://simbli.eboardsolutions.com/SU/3jnAT52i7xoxtslshnloobqpg==>

3100

Budget - <https://simbli.eboardsolutions.com/SU/LAXsliS005BXIXyCf1Nf6A==>

3100

Budget - <https://simbli.eboardsolutions.com/SU/0Em4vjDpAKIGfnem14N1VA==>

3230

Federal Grant Funds -
<https://simbli.eboardsolutions.com/SU/U7QTeU9Soli935xKxaXdplusQ==>

3230

Federal Grant Funds -
<https://simbli.eboardsolutions.com/SU/Oh3eMwsYd7zIFD5OxF2rsg==>

3280

Sale Or Lease Of District-Owned Real Property -
<https://simbli.eboardsolutions.com/SU/Nm0zHuGE2qDJhcxxXLezvQ==>

3280

Sale Or Lease Of District-Owned Real Property -
<https://simbli.eboardsolutions.com/SU/PnYLMCRQVxCjiB5CrIHYA==>

3311

Bids - <https://simbli.eboardsolutions.com/SU/J4XkQpluspDuFoUxMKd4ZKyMA==>

3311

Bids - <https://simbli.eboardsolutions.com/SU/a4y4guyMC9pHn8Kcpluse1nWw==>

3440	Inventories - https://simbli.eboardsolutions.com/SU/YRZDYmkvUdkn5RLDGWseplusg==
3452	Student Activity Funds - https://simbli.eboardsolutions.com/SU/9SBtlfFyggkHplusjAgcmQciw==
3460	Financial Reports And Accountability - https://simbli.eboardsolutions.com/SU/4neViCDuqe27oe7UPwxLTg==
3460	Financial Reports And Accountability - https://simbli.eboardsolutions.com/SU/yJoscjbOD4FYFm2xCUcqSA==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/shlp06OGQEJcPeXKe3plusuA==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/9cYjplusPqlvVli7eaOJH77og==
3514.2	Integrated Pest Management - https://simbli.eboardsolutions.com/SU/W2Yj24ilN4UhsIshQ1VklYZmQ==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/mcplusE3P1slshWJP3X4M0Vv8YEQ==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/7vAQoplusfBulhn5iEYU5slshVGA==
3516.5	Emergency Schedules - https://simbli.eboardsolutions.com/SU/plusFpbrKLFOWD9KslshU3yRTj7Q==
3523	Electronic Signatures - https://simbli.eboardsolutions.com/SU/PObMsVgf7DazCBq9Nk63Rw==
3523	Electronic Signatures - https://simbli.eboardsolutions.com/SU/7kZLGRujx1caziZ7plus6UqEg==
3542	School Bus Drivers - https://simbli.eboardsolutions.com/SU/pB8s84vUvkJTSxuiKxjn5w==
3543	Transportation Safety And Emergencies - https://simbli.eboardsolutions.com/SU/G0SdrQYYbF4ujpluscgWBC0IQ==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/slshbnNdb5VoKn29R1FDUD8Vw==
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3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/QnRDSUG2lxDwo549gJLww==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/XdvpOUBAPs20PKuptA0S1w==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/WMvzpqbzJnFyozplusuE1FsQ==
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4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/uj6R9EJQMgHWPwlj500MeA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeQ9hSFguPfw==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==
4111.2	Legal Status Requirement - https://simbli.eboardsolutions.com/SU/m3WslshNV7bzEWPHOtWVprGLw==

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- 4112.2 Certification -
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- 4112.42 Drug And Alcohol Testing For School Bus Drivers -
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- 4112.5 Criminal Record Check -
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- 4112.5-E(1) Criminal Record Check -
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- 4112.6 Personnel Files -
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- 4112.9 Employee Notifications -
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- 4112.9-E(1) Employee Notifications -
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- 4113 Assignment -
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- 4119.12 Title IX Sexual Harassment Complaint Procedures -
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- 4119.12-E(1) Title IX Sexual Harassment Complaint Procedures -
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- 4119.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySl0fQ==>
- 4119.21-E(1) Professional Standards -
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- 4119.42 Exposure Control Plan For Bloodborne Pathogens -
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- 4119.42-E(1) Exposure Control Plan For Bloodborne Pathogens -
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- 4131 Staff Development -
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- 4211.2 Legal Status Requirement -
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- 4212.42 Drug And Alcohol Testing For School Bus Drivers -
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- 4212.42 Drug And Alcohol Testing For School Bus Drivers -
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- 4212.5 Criminal Record Check -
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- 4212.5-E(1) Criminal Record Check -
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4212.6 Personnel Files -
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4212.9 Employee Notifications -
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4212.9-E(1) Employee Notifications -
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4219.12 Title IX Sexual Harassment Complaint Procedures -
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4219.12-E(1) Title IX Sexual Harassment Complaint Procedures -
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4219.21 Professional Standards -
<https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==>

4219.21-E PDF(1) Professional Standards - Code Of Ethics Classified Employees -
<https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==>

4219.42 Exposure Control Plan For Bloodborne Pathogens -
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4311.2 Legal Status Requirement -
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4312.42 Drug And Alcohol Testing For School Bus Drivers -
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4312.42 Drug And Alcohol Testing For School Bus Drivers -
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4312.6 Personnel Files -
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4312.9 Employee Notifications -
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4312.9-E(1) Employee Notifications -
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4319.12 Title IX Sexual Harassment Complaint Procedures -
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4319.12-E(1) Title IX Sexual Harassment Complaint Procedures -
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4319.21 Professional Standards -
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4319.21-E PDF(1) Professional Standards -
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4319.42 Exposure Control Plan For Bloodborne Pathogens -
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4319.42-E PDF(1) Exposure Control Plan For Bloodborne Pathogens -
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4319.42-E(1) Exposure Control Plan For Bloodborne Pathogens -
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4331 Staff Development -
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4351 Employee Compensation -
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5111.1 District Residency -
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5111.1 District Residency -
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5113.2 Work Permits -
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5125 Student Records -
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5125 Student Records -
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5125.1 Release Of Directory Information -
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5125.1 Release Of Directory Information -
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5141 Health Care And Emergencies -
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5141 Health Care And Emergencies -
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5143 Insurance -
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5143 Insurance -
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5145.3 Nondiscrimination/Harassment -
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5145.3 Nondiscrimination/Harassment -
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5145.6 Parent/Guardian Notifications -
<https://simbli.eboardsolutions.com/SU/QplusplussK81plusdOOeH8KAbE4Yqw==>

5145.6-E(1) Parent/Guardian Notifications -
<https://simbli.eboardsolutions.com/SU/Eg2nslshWICuRZcPaQLpluseWumA==>

5145.7 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/EtnsI0vfjVFwtsfy7FGqYA==>

5145.7 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==>

5145.71 Title IX Sexual Harassment Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/5GsQT7RCvewITUURUbHEVg==>

5148 Child Care And Development -
<https://simbli.eboardsolutions.com/SU/WFitZaRHijkR0ZEW8Cv5QA==>

5148 Child Care And Development -
<https://simbli.eboardsolutions.com/SU/Sslshehfg4QR3abXwwfnqllw==>

5148.3 Preschool/Early Childhood Education -
<https://simbli.eboardsolutions.com/SU/xo5wLZgf9IQXLaj4bG11wA==>

5148.3 Preschool/Early Childhood Education -
<https://simbli.eboardsolutions.com/SU/P5NsBzPCyQjLp7XSzpkU5w==>

6145.2 Athletic Competition -
<https://simbli.eboardsolutions.com/SU/mjzVr4hwth0plusJplusU0vFgStw==>

6145.2 Athletic Competition -
<https://simbli.eboardsolutions.com/SU/li7fyXj9QEE0CqwFCiOzbQ==>

6158 Independent Study -
<https://simbli.eboardsolutions.com/SU/ee2tkgHbbOh14xJ9J7h1rg==>

6158 Independent Study -
<https://simbli.eboardsolutions.com/SU/aYZRmMkfXDLQZrXl6IFVOQ==>

6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education -
<https://simbli.eboardsolutions.com/SU/OI956zlyPdQEs8NVNyBZaQ==>

6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education -
<https://simbli.eboardsolutions.com/SU/yN432YBtjiSslsh9PRUbo6bmg==>

6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/liaX8LnXncN1nKr3DhUU6g==>

6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/d7SrtlxVZ7PCzy6JiGpYrw==>

7214 General Obligation Bonds -
<https://simbli.eboardsolutions.com/SU/RuWplR0Hyg9zd1a1uLplusJg==>

7214 General Obligation Bonds -
<https://simbli.eboardsolutions.com/SU/5H9WP4YrKfWbYiJpZDAC7Q==>

9011 Disclosure Of Confidential/Privileged Information -
<https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFRVqhX3OA==>

9012 Board Member Electronic Communications -
<https://simbli.eboardsolutions.com/SU/hytEYovBqsqMp5UzUoFqvQ==>

9324 Minutes And Recordings -
<https://simbli.eboardsolutions.com/SU/soUJFnL8INplusXOw3UtoNvXg==>