

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS**

The Board of Trustees recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

*(cf. 1340 - Access to District Records)*

*(cf. 3440 - Inventories)*

The Superintendent or designee shall consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

*(cf. 0440 - District Technology Plan)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 9011 - Board Member Electronic Communications)*

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**Safe at Home Program**

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

*(cf. 5111.1 - District Residency)*

*(cf. 5141 - Health Care and Emergencies)*

### **Retention of Electronic Records**

The Board recognizes that the use of email and other electronic communication in the workplace has increased tremendously, raising issues with respect to communication, creation of information and systems, and retrieval and storage of electronic records. The Board further acknowledges the District's responsibility to make records available to the public, with certain exceptions. Accordingly, the Board directs that all electronic records of this District be maintained, safeguarded and disclosed to the extent requires to be in full compliance with the requirements of law.

Access to the District's computers and the District's information and communications systems and equipment is controlled and administered by the District's information technology department. The District has the right to disclose, as permitted or required by applicable law, any communications or records, or copies of communications or records stored for any period of time in or by the District's information and communications system or equipment. The District may monitor or access employee communications made using the District's information and communication systems and equipment, and employees should have no expectation of privacy when using the District's information and communication systems and equipment. When passwords are used, they must be known to the Superintendent or designee so that he/she may have system access.

#### *Legal Reference:*

##### *EDUCATION CODE*

*35145 Public meetings*

*35163 Official actions, minutes and journal*

*35250-35255 Records and reports*

*44031 Personnel file contents and inspection*

*49065 Reasonable charge for transcripts*

##### *CODE OF CIVIL PROCEDURE*

*2031.010-2031.060 Civil Discovery Act, scope of discovery demand*

*2031.210-2031.320 Civil Discovery Act, response to inspection demand*

##### *GOVERNMENT CODE*

*6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking*

*6252-6265 Inspection of public records*

*12946 Retention of employment applications and records for two years*

*PENAL CODE*

*11170 Retention of child abuse reports*

*CODE OF REGULATIONS, TITLE 5*

*432 Varieties of student records*

*16020-16022 Records, general provisions*

*16023-16027 Retention of records*

*Management Resources:*

*SECRETARY OF STATE PUBLICATIONS*

*Letter re: California Confidential Address Program Implementation (SB 489), August 27, 1999*

*WEB SITES*

*California Secretary of State: <http://www.ss.ca.gov/safeathome>*