

**RECORDS RETENTION AND DISPOSITION**

The Humboldt County Office of Education develops records to meet county, state, and federal requirements. Records are developed as necessary or convenient to the discharge of the official duties of the County Board of Education and the County Superintendent of Schools. Records are also developed in order to meet the daily operating requirements of the offices, schools, and programs of the Humboldt County Office of Education. The following positions are designated “custodians of records”:

1. The President of the County Board of Education shall be the custodian of any records of closed sessions of the County Board of Education.
2. The County Superintendent of Schools as Secretary of the County Board of Education is designated as the custodian of all other records of the County Board of Education and County Committee on School District Organization. Additionally, the County Superintendent of Schools is the custodian of records for all other records of the County Office.

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

The Superintendent or designee shall develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of Office of Education 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.

The procedure shall:

1. Emphasize efficiency and cost effectiveness.
2. Provide back-up data for disaster preparedness.
3. Maintain confidentiality and security of public records exempt from disclosure.
4. Advise as to the destruction of records no longer of significant value for administrative, legal, fiscal, historical, or research purposes upon expiration of the appropriate retention period.

5. Ensure the continuing accuracy, availability, security, and preservation of records with long-term or permanent value.

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.

In the event of any known or reasonably suspected breach of the security of Office of Education records containing confidential personal information including, but not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account, the Superintendent or designee shall immediately notify local law enforcement agencies and any affected persons. Notification of affected individuals may be delayed if a law enforcement agency determines that the notification would impede a criminal investigation.

The Superintendent or designee shall ensure that employees receive information about the Office of Education'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.

Office of Education 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.

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

*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*

49069 *Absolute right to access*

CODE OF CIVIL PROCEDURE

1985.8 *Electronic Discovery Act*

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

*430 Individual student records; definition*

*432 Varieties of student records*

*16020-16022 Records, general provisions*

*16023-16027 Retention of records*

UNITED STATES CODE, TITLE 20

*1232g Family Educational Rights and Privacy Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

*99.1-99.8 Family Educational Rights and Privacy Act*