Administrative Procedure

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Subject: RECORDS RETENTION, MANAGEMENT, AND DISPOSITION PROGRAM

1.0. PURPOSE:

1.1. To establish and administer standards, procedures, and techniques for the effective management of those items defined as records/information, regardless of physical form or characteristics.

1.2. To establish guidelines for the on-site and off-site retention, security, and disposal of operational, legal, fiscal, historical, and vital records/information.

1.3. To establish procedures for the transfer, retrieval, annual review, and destruction of University records at the State Records Center in Sacramento, California.

2.0. ORGANIZATIONS AFFECTED:

All organizational units of the University, excluding auxiliaries.

3.0. REFERENCES:

3.1. State Administrative Manual (SAM), Sections 1600-1626.

3.2. State Records Management Act of 1965, Government Code Sections 14740 through 14774

3.3. Information Practices Act of 1977, Civil Code Section 1798.

3.4. California Public Records Act, Government Code Section 6250.

3.5. California State University (CSU) Executive Order No. 1031, Systemwide Records/Information Retention and Disposition Schedules Implementation.

3.6. Gramm-Leach-Bliley Act.

Approved: _____ **Date:** _____

4.0. POLICY:

Cal State L.A. supports the State Records Management Act and CSU Systemwide Records/Information Retention and Disposition Schedules Implementation, Chancellor's Office Executive Order 1031, by establishing and administering a Records Retention, Management, and Disposition Program that applies efficient, economical, and security-focused management methods to create, utilize, maintain, retain, preserve, and dispose of paper and electronic University records and information. The objective of the Records Retention and Management Program is to ensure compliance with all legal and regulatory requirements while implementing appropriate operational best practices.

5.0. DEFINITIONS:

5.1. Business Continuity/Disaster Recovery – Documented plans and procedures that allow the campus to provide and/or recover services during or after a disaster or other disruption.

5.2. Campus Records Management Coordinator – Appointed individual responsible for the transfer, retrieval, and destruction of campus documents at the State Records Center.

5.3. Confidential Information – In addition to items listed in the Personal Information definition below, confidential information includes, but is not limited to, the following: financial records, student educational records, physical description, home address, home phone number, grades, ethnicity, gender, employment history, performance evaluations, disciplinary action plans, and NCAA standings.

5.4. Custodian or Record Custodian – The title of the official, campus-designated individuals who maintain the official or original copy of the record/information. The campus Records Retention and Disposition Schedules (Appendix 8.6.) should specifically identify the campus-designated custodian responsible for each identified record/information.

5.5. Disposition – A range of processes associated with implementing records/information destruction or transfer decisions that are documented in the campus records/information retention and disposition schedule or other authority.

5.6. Health Insurance Information – An individual's health insurance policy number or subscriber identification number, any unique identifier used by a health insurer to identify the individual, or any information in an individual's application and claims history, including any appeals records.

5.7. Media or Electronic Storage Media – A general term referring to the material onto which business information has been recorded and may subsequently be used for business purposes. Electronic media can be non-portable (computers, servers, e-mail servers, voice mail systems) and portable (laptops, CDs, DVDs, USB storage devices, etc.).

5.8. Medical Information – Any information regarding an individual's medical history, mental or physical condition, or medical treatment or diagnosis by a health care professional.

5.9. Personal Information – Under California Senate Bill (SB) 1386 and Assembly Bill (AB 1298), personal information is defined as follows: An individual's first name or first initial and last name in combination with any one or more of the following data elements:

- Social Security Number;
- Driver's license or California Identification Card number;
- Account number, or credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account;
- Medical information; and/or,
- Health insurance information.

5.10. Proprietary Information – Information to which an individual or entity possesses, owns, or holds exclusive rights. Examples include: faculty research, copyrighted materials, white papers, research papers, business continuity and other business operating plans, e-mail messages, vitae letters, confidential business documents, organization charts or rosters, detailed building drawings, and network architecture diagrams. Proprietary information, if lost or stolen, could compromise, disclose, or interrupt operations or embarrass the individual or the University.

5.11. Record/Information – Every means of recording upon any tangible thing in any form of communication or representation, including letters, words, pictures, sounds, or symbols, any combination of these or any other means to engage in business, regardless of media. This includes, but is not limited to:

- Electronic communication such as e-mail content and attachments, voice mail, instant messages, and data on any electronic storage media;
- Content on Web sites, PDAs, mobile devices, desktops, and servers;
- Information/data captured in various databases;
- Physical paper in files, such as memos, contracts, reports, photographs, and architectural drawings;

- Licenses, certificates, registration, identification cards, or other means;
- Handwriting, typewriting, printing, photostatting, photographing, photocopying, transmitting by electronic mail or facsimile;
- Any record thereby created, regardless of the manner or media in which the record has been stored and or created; and
- Backups of electronic information.

5.12. Records Retention and Disposition Schedules —The Schedules published by the Chancellor's Office that specify the minimum period that University records must be retained to satisfy administrative, legal, fiscal, historical, or research requirements. The Schedule is online at: www.calstate.edu/recordsretention (Appendix 8.5.).

5.13. Retention Authority – The statute, code, and good business practice that govern the length of time a particular record/information shall or should be kept.

5.14. Retention Period – The period of time that a record/information shall or should be kept. This period may be divided into:

- Active Retention Period – The length of time records or information are to remain available for immediate retrieval to meet operational needs. These records are generally retained on-site.
- Inactive Retention Period – The length of time records or information are to be retained to meet the long-term needs of the campus. These records are generally retained off-site or backed up onto electronic storage media.

5.15. Schedule, Campus Schedule, or Campus Records Retention and Disposition Schedule – A document identifying a series of unique records/information associated with a Cal State L.A. process or function. For each records/information listed, the schedule will include a unique number/identifier, title, custodian, value, retention authority, and retention period. The basic schedules are modified by the campus as needed, e.g., to specify custodians, update records/information value according to campus needs, and incorporate additional records (Appendix 8.6.).

5.16. Series – A group of related records filed or used together and evaluated as a unit for retention purposes.

5.17. State Records Center – The Sacramento-based Center provides storage and retrieval of records/information covered by the Records Retention and Disposition Schedules that are not active enough to justify continued retention on the campus, but which must be available on a reference basis for a specific period of time or be retained to satisfy legal requirements.

Information from records/information stored at the Center may be read over the telephone to the requesting department or shipped back to the requesting department.

5.18. Value – Records and information may have value in one of more of the following areas:

- Operational – Required by the campus or department to perform its primary function.
- Legal – Required to be retained by law or needed for litigation or a government investigation.
- Fiscal – Related to the financial transactions of the campus, especially those required for audit or tax purposes.
- Historical – Of long-term value to document past events. These may arise from exceptional age and/or connection with some significant historical event or person associated with the campus.
- Vital – Critical to ensure operational continuity for the campus after a disruption or disaster. Vital records/information may fall into any one of the above value categories.

6.0. RESPONSIBILITIES:

6.1. The President will formally designate the Vice President for Administration and Chief Financial Officer as the official campus custodian for the Cal State L.A. Records Retention, Management, and Disposition program.

6.2. The Vice President for Administration and Chief Financial Officer will:

6.2.1. Appoint an official campus custodian for each type of valued record.

6.2.2. Ensure that the appropriate campus departments implement the records/information retention and disposition schedules for that department.

6.2.3. Publish the Cal State L.A. Records and Retention Schedules to the campus, and provide copies to the Office of the Chancellor upon request.

6.2.4. Designate an individual to serve as the Campus Records Management Coordinator.

6.3. The Vice President for Institutional Advancement will ensure that the retention (archival) and recovery of valued campus records/information is contained within each department's Business Continuity Plan.

6.4. University Counsel will provide guidance in complying with all legal, regulatory, and privacy requirements, including but not limited to e-discovery, litigation holds, and subpoenas.

6.5. All Vice Presidents, Deans, and Directors will:

6.5.1. Identify all records and information within the respective division that contain value in any of the following areas: operational, legal, fiscal, historical, or vital.

6.5.2. Establish procedures regarding the modification of the campus Records and Retention Schedules, as needed, to incorporate records unique to the campus.

6.5.3. Submit any modifications to the campus Records and Retention Schedules to the Vice President for Administration and Chief Financial Officer.

6.5.4. Authorize or extend destruction dates of off-site records, as required by filed or reasonably anticipated litigation.

6.5.5. Approve the disposition of valued records and information prior to destruction.

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6.6. Records Custodians will:

6.6.1. Submit recommendations to the Vice Presidents, Deans, or Directors regarding modification of the campus Records and Retention Schedules, as needed, to incorporate records unique to the campus.

6.6.2. Submit a disposition list of valued records and information to the Vice Presidents, Deans, or Directors for approval prior to destruction.

6.6.3. Develop and execute a plan to back-up e-mail messages and attachments that contain valued campus records/information.

6.6.4. Communicate valued records and information retention, management, and disposition guidelines to faculty and staff.

6.7. University Divisions, Colleges, Schools, and Departments will:

6.7.1. Secure all active, semi-active, and inactive paper and electronic on-site department records containing confidential, personal, or proprietary information.

6.7.2. Prepare a Business Continuity Plan that includes the backup and recovery of valued campus records/information in the event of a catastrophic loss of services.

6.7.3. Retain department records for the time specified in the approved campus Records Retention and Disposition Schedules.

6.7.4. Retain and back-up e-mail messages and attachments that contain valued campus records/information as instructed by the Records Custodian.

6.7.5. Prepare the required State Records Center forms for records/information retrieval.

6.7.6. Ensure that communications containing valued records or information are delivered through a media that provides written or electronic evidence. Voice mail, instant messages, text messages, PDAs are not suitable methods of communicating and retaining valued records or information.

6.7.7. Follow prescribed procedures for the transfer of records to the State Records Center.

6.7.8. Supervise the destruction of on-site departmental records containing confidential, personal, or proprietary information. Paper documents must be shredded by a confetti or pulp shredder; strip shredders are not suitable for confidential records. Electronic media must be destroyed following the appropriate best practices outlined in the User Guidelines for Portable Electronic Storage Media, available at www.calstatela.edu/sites/default/files/groups/Information%20Technology%20Services/security/its-1005-g_portableelectronicstoragemedia.pdf.

6.8. University Employees will:

6.8.1. Secure all active, semi-active, and inactive paper and electronic on-site department records containing confidential, personal, or proprietary information.

6.8.2. Delete transitory e-mail messages when they are no longer of use or value.

6.8.3. Ensure that communications containing valued records or information are delivered through a media that provides written or

electronic evidence. Voice mail, instant messages, text messages, PDAs are not suitable methods of communicating and retaining valued records or information.

6.9. Campus Records Management Coordinator will:

6.9.1. Perform liaison functions between the State Records Center and University departments.

6.9.2. Prepare the required State Records Center forms for records/information transfer and destruction.

6.9.3. Advise departments of pending disposition dates of off-site records, and as instructed by departments or records custodians, arrange for destruction or continue retention by the State Records Center.

6.10. Shipping and Receiving will collect records from the departments and transport records to the State Records Center as instructed by University departments.

6.11. Property Management will:

6.11.1. Oversee the movement or disposition of electronic storage media to ensure that all media has been erased or reformatted by the Information Technology Consultants. Property Survey Forms must be certified that the media has been erased prior to delivery to Property Management.

6.11.2. Return any uncertified computers and electronic storage media to ITS for proper erasure.

6.12. Facilities/Recycling Services will supervise the on-site destruction of paper documents by any third party vendor licensed to perform records destruction.

7.0. PROCEDURES:

7.1. Security of On-site Records

7.1.1. University Divisions, Colleges, Schools, and Departments will:

a. Identify records containing confidential, personal, or proprietary information and ensure that information security best practices are followed at all times.

b. Under guidance from the Records Custodians, identify essential records with campus value, determine the individual responsible for performing e-mail and other electronic backups, and develop a written plan that details data back-up procedures, archival/retrieval plans, and disaster recovery measures necessary to return to normal business operations.

c. Periodically review department records retention, and security plans and practices with all faculty and staff.

d. Develop business practices for student assistants working with or near confidential, personal, or proprietary information.

7.2. Destruction of On-site Records

7.2.1. University Divisions, Colleges, Schools, and Departments will:

a. Obtain approval from the Records Custodian to destroy official records that are at, or beyond the retention date.

b. Use a confetti or pulp shredder to destroy all on-site records that contain confidential, personal, or proprietary information.

c. For large quantities of records, arrange with Facilities/Recycling Services to contract and supervise a third party vendor licensed in confidential records destruction.

7.3. Transfer of Records Off-site

7.3.1. University Divisions, Colleges, Schools, and Departments will:

a. Order File Archive Boxes (Category C) from Campus Stores.

b. Pack records loosely and upright in the same order in which they are kept in office files.

c. Number containers consecutively in the space provided.

d. Prepare and forward the Files for Archive Storage memorandum (Appendix 8.1.) to the Campus Records Management Coordinator, Administration and Finance.

e. Enter the campus-assigned Transfer List Number on the file archive boxes when assigned by the Campus Records

Management Coordinator. Departments should not write the content description on the outside of the file archive boxes to protect content confidentiality.

f. Upon receipt of permission to ship the records to the State Records Office, prepare and forward the Facilities Work Request form to Shipping and Receiving to request pick-up of the records.

g. Be responsible for all storage charges imposed by the State Records Center.

7.3.2. Campus Records Management Coordinator will:

a. Prepare the Records Transfer List, Standard Form 71, for each shipment and distribute copies as required.

b. Assign a campus Transfer List Number and advise department of the same.

c. Notify the department of the State Records Center Storage Number assigned to their department records.

7.4. Retrieval of Off-site Stored Records

7.4.1. University Departments requiring access to stored records will complete and forward the State Records Center Reference Request, Standard Form 76 (Appendix 8.2.), to the DGS – PD – State Records Center, 3240 Industrial Blvd., West Sacramento, CA 95691.

7.4.2. Upon receipt of records from the State Records Center, requesting departments will inspect the records, keeping the copy of the Reference Request attached at all times.

7.4.3. The requesting department will return the records to the State Records Center.

7.5. Destruction of Off-site Stored Records

7.5.1. Campus Records Management Coordinator will:

a. Receive annual printouts from the State Records Center listing records scheduled for destruction.

b. Forward the Authorization for Records Destruction memorandum (Appendix 8.4.) to the appropriate department.

c. Review Authorizations/Revisions returned from the departments and have the Vice President for Administration and Chief Financial Officer sign the original copy of the Authorization, thereby constituting approval to destroy the records.

d. Forward the approved Authorization for Records Destruction to the State Records Center.

7.5.2. University Divisions, Colleges, Schools, and Departments will:

a. Review the list of records scheduled for destruction and approve the scheduled destruction date or revise the date, as required, and identify whether the records require confidential, witnessed destruction.

b. Obtain permission for disposition from the appropriate Vice President, Dean or Director.

c. Complete and return the Authorization for Records Destruction memorandum, with any revised dates indicated, to the Campus Records Management Coordinator.

d. Be responsible for all disposition charges imposed by the State Records Center.

8.0. APPENDICES:

8.1. Files for Archive Storage Memorandum.

8.2. State of California, Records Transfer List, STD. 71.

8.3. State of California, State Records Center Reference Request, STD. 76.

8.4. Authorization for Records Destruction Memorandum.

8.5. CSU Records Retention and Disposition Schedules.

8.6. Cal State L.A. Records Retention and Disposition Schedules.