

T. Records Policy

The Council of Superintendents recognizes the importance of securing and retaining SELPA documents. The Assistant Superintendent, SELPA, or designee shall ensure that SELPA records are developed, maintained, and disposed of in accordance with law and SELPA policies and procedures.

T1. Classification of Records

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)

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

T2. Pupil, Personnel, Audit and Property Records

The SELPA shall not maintain any pupil records. Any individual requesting pupil records shall be assisted in making the request to the appropriate LEA.

The SELPA's AU shall maintain Personnel, Audit and Property Records as required by law.

T3. 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. Average daily attendance, including Period 1 and Period 2 reports
 - c. Other major annual reports, including those declared by COS minutes to be permanent
2. Official Actions
 - a. Minutes of the COS or COS committees, including the text of rules, regulations, policies, or resolutions included by reference only

T4. 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 COS and Assistant Superintendent, SELPA, 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 2 (Optional) Records shall include past master contracts with nonpublic school or agencies and individual service agreements, until such records are reclassified as Class 3 (Disposable) records.

T5. 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. (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)

Master contracts with nonpublic school or agencies and individual service agreements shall be classified as Class 3 (Disposable) records five (5) years after the operating year of the master contract or individual service agreement.