



ADMINISTRATIVE COMMITTEE

Staff Report

File #: 19-1072

Agenda Date: 9/17/2020

Agenda #: 3.

FROM: Barbara Hannah, Chief Counsel

SUBJECT: Approve updates to Administration Policy No. 005 (Records Retention Policy)

RECOMMENDATION:

Recommend that the Board approve updates to Administration Policy No. 005 (Records Retention Policy).

BACKGROUND:

General Policy No. 005 involves periodic review of the Board policies and indicates that the Administrative Committee review Administrative and Benefit policies every three years. Accordingly, SBCERA staff has reviewed Administration Policy No. 005 (Records Retention Policy), and recommends substantive changes.

The Board may establish efficient records management procedures, which may include, but need not be limited to, maintenance and, when determined by the Board to be necessary, disposal of records in its jurisdiction. (Government Code § 31537.) The substantive changes guarantee that SBCERA: maintains records that are essential to its operation; reduces costs and improves the efficiency of recordkeeping; and ensures legal compliance with state, federal and regulatory requirements. Along with an update to the Policy, staff prepared a new schedule that accurately and completely reflects SBCERA's records holdings and disposition. The schedule emphasizes the principle that once records have fulfilled their administrative, fiscal, or legal function that records should be disposed of as soon as practicable in accordance with the Records Retention Schedule. One important aspect of the policy is that it provides guidance to staff regarding the storage of records to ensure its accessibility, integrity, confidentiality, authenticity, and legibility. The following are guidelines outlined in the Policy:

1. The Policy defines the types of records maintained by SBCERA.
2. Government Code section 34090.5 authorizes the conversion of hard copy materials and records onto other electronic mediums. Physical records are required to be digitized (i.e. converted into an electronic file) and then retained or purged in accordance with the Records Retention Schedule.
3. Records in electronic form are retained permanently or in accordance with the retention schedule.
4. Electronic reproduction of records shall be deemed to be an "original" of the paper records.

5. Electronic communications are retained and preserved for two years.
6. Emails deemed transitory are an exception to the two-year retention requirement. If such email is transitory, then the retention period is 90 days from inception date and removed to "Trash" to be subsequently deleted 30 days thereafter.
7. Unless a record is deemed an Official Record, preliminary drafts and notes may be destroyed if they are no longer needed and there is no legal or policy requirement that they be retained.

The Policy provides a 12-month period for staff to comply with the requirements set forth in the Policy and Records Retention Schedule. Thereafter, annually, each Department will be responsible for reviewing all records in its custody, and retain or purge such records in accordance with the Policy.

Staff will continue to monitor and review changes in state laws that pertain to local government records retention, and update changes to the Records Retention Schedule.

BUDGET IMPACT:

None.

STRATEGIC PLANNING GOAL/OBJECTIVE:

Operational Excellence & Efficiency

STAFF CONTACT:

Barbara Hannah

ATTACHMENTS:

- Exhibit A: [Proposed] Administration Policy No. 005 (Records Retention Policy), Issue 3.0
Exhibit B: Administration Policy No. 005 (Records Retention Policy), Issue 2.0, Effective 04/07/2011
Exhibit C: Appendix Records Retention Policy Schedule