

Retention of Public Records - Procedure

To aid in proper retention of public records, District employees will use the email addresses assigned by the District for all electronic correspondence generated in the scope of their employment. District staff should not use personal email, text messages, instant messages, voicemails, or other means of electronic communication to conduct District business without advance approval by the Superintendent or designee. In the event that a District employee uses a personal account for electronic communication in the scope of his or her duties, the employee must promptly ensure that a copy of the communication is retained by the District.

In the event that the District receives a public records request that calls for disclosure of electronic communications sent or received by an employee in the scope of his or her employment using a personal device or account, and such employee has not provided for retention of the communications by the District, the employee will promptly provide copies of responsive records to the Public Records Officer (PRO) upon request by the PRO or designee as permitted by and consistent with federal and state laws. Upon request by the PRO or designee, the employee will provide a sworn affidavit certifying that the employee has submitted all responsive electronic communications that are public records from the non-District account or device and that any withheld records are entirely personal in nature.

Retention of Electronic Records

District staff will use District-owned and assigned computer resources (e.g., desktop computers, laptop computers, tablets, smartphones, and Internet-based services) for the preparation or use of electronic records during the scope of their employment to the extent feasible. Employees will not use third-party Internet-based services, whether offered free of charge or at cost, without prior approval of the Superintendent or designee.

If District employees use personal or public computing resources not controlled by the District to prepare or store public records, including Internet-based services provided by third parties, the employees will promptly transfer the original or a copy of the files in their native format to District-owned computing resources for retention.

In the event that the District receives a public records request that calls for disclosure of electronic records produced or stored by an employee in the scope of his or her employment using non-District computer resources, and such employee has not provided for retention of the electronic records by the District, the employee will promptly provide copies of responsive records to the PRO upon request by the PRO or designee as permitted by and consistent with federal and state laws. Upon request by the PRO or designee, the employee will provide a sworn affidavit certifying that the employee has submitted all responsive public records from the non-District computing resource and that any withheld records are entirely personal in nature.

For purposes of this procedure, “native format” means the format that a software application works with during creation, edition, or publication of a file (e.g., “.doc” or “.docx” in Microsoft Word or “.pdf” in Adobe Acrobat)