

AP 3310 Records Retention and Destruction

References:

Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45;
NWCCU Standards 2.A.20 and 2.D.7
ORS 192.005 to 192.170
ORS 357.805 to 357.845
OAR Chapter 166, Division 450

“Records” means all records, maps, books, papers, data processing output, and documents of the College which it must retain, including but not limited to records created originally by computer and “electronically stored information” (“ESI”), as that term is defined by the Federal Rules of Civil Procedure. [Note: See note below about Oregon definition of public record.]

The President or President’s designee shall supervise the classification and destruction of records and ESI. The College must preserve ESI and ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil Procedure. The College shall comply with the Federal Rules of Civil Procedure and produce relevant ESI in the form in which it is ordinarily maintained or readily usable. An annual report shall be made to the Board of Education regarding the classification and destruction of records and ESI.

Records shall be classified as required by applicable statutes, federal and state regulations.

The College shall maintain a public record or accurate copy of a public record in accordance with the retention schedule set out in Oregon Administrative Rule Chapter 166, Division 450, without regard to the technology or medium used to create or communicate the record.

NOTE: *Oregon law defines “Public record” is defined as “any information that:*

- (A) Is prepared, owned, used or retained by a state agency or political subdivision;*
- (B) Relates to an activity, transaction or function of a state agency or political subdivision;*
and
- (C) Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.”*

It does not include extra copies of a document, preserved only for convenience of reference; a stock of publications; messages on voice mail or on other telephone message storage and retrieval systems; or spoken communication that is not recorded.

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