



Chico Unified School District

1163 East Seventh Street, Chico, CA 95928-5999
(530) 891-3000

**Administrative
Regulation:**

#3585

Section: 3000

**Business and
Noninstructional
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ELECTRONICALLY STORED INFORMATION

Definitions

- **Electronic Mail.** Electronic mail (email) is defined as any message sent or received through the user's district-issued email account, using a district domain name, and stored on the district's central email servers. Email may include, but is not limited to, correspondence and attachments, calendar events, forms, and messages transmitted electronically, and any electronic file attached thereto.
 - The Information Technology Department shall acquire and implement adequate systems to archive all incoming and outgoing email on the district operated email system. That system shall be configured to automatically dispose of records that are eighteen months or older.
- **Electronically Stored Information (ESI) includes:** all computer files created by the end user, the contents of databases created or managed by the district, electronic faxes, PDF files, graphic images, video files, and any and all files created and/or stored on district-owned computer systems other than the executable files that comprise the software that operate the computer systems, any applications installed on the end-user's computer or the system network, or any operating system.
- **District-owned Computer Systems and Storage includes:** personal computers, laptops, "smart" peripheral devices assigned to or used by district employees and students, networked computers, servers, and file storage. ESI can also be stored on permanent external media, including, but not limited to, optical media, external hard drives, and flash storage devices.
- **Public Records:** A public record is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics." [GC §6252(e)]
 - Public records may not include preliminary drafts and notes that are not kept in the ordinary course of business. [GC §6254(a)]

Implementation

- A. The Information Technology Department is responsible for maintaining computing and telecommunications systems as necessary to support teaching and business activities. This authority is intended to allow for effective and efficient management, monitoring, and coordination of technology and telecommunications services.
- B. The Information Technology Department is responsible for defining and enforcing recognized industry standards for safeguarding electronic records to ensure the integrity of collected data and its management, the physical security of the data, and adequate disaster recovery methods.
- C. Backup procedures protect all core application software hosted by the district and the data records maintained. Procedures are used to recover either (a) individual documents or folders that have been inadvertently or intentionally deleted, and (b) data records on a server or other hardware disabled by a hard disk failure or other unforeseen reason.
- D. Any email message sent or received through or stored on the district's central email servers will be retained in inboxes, including subfolders; sent items; and outboxes on the central servers for eighteen months after emails have been received or sent. This retention policy includes correspondence and attachments, calendar schedules, and forms transmitted electronically.



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- All electronic mail and attachments remaining on central email servers longer than eighteen months will be automatically and permanently deleted.
- E. Individuals desiring to save email and attachments for longer than eighteen months are responsible for saving said copies of email and attachments before the aforementioned expiration date by transferring them to other electronic environments, media, or by printing hard copies.
- F. All terms of this AR apply equally to ESI and emails created, stored, or transmitted on district-owned computer systems and storage.

Exceptions

- A. **Records Created Prior to the Implementation of this Policy** - The only ESI subject to this policy are those existing at the time this policy is adopted. The Information Technology Department will make a reasonable attempt to collect archived email from employees' computers upon implementation of the policy.
- B. **SPAM Email** - SPAM is unsolicited electronic mail, usually advertisements and other similar material not bearing any reasonable relationship to the conduct of the public's business. SPAM may be deleted permanently upon receipt.
- C. **Personal Email and Documents** - ESI created by district employees on district computer systems that have no connection to district business may be deleted at any time. Personal ESI left on district computer systems are subject to discovery. Users have no expectation of privacy with respect to ESI or emails created, stored, or transmitted on district-owned computer systems that have no connection to district business.
- D. **Discovery** - Upon receipt of a notice of impending discovery, litigation, request under FERPA, state, or federal audit, all ESI subject to that discovery order shall be retained indefinitely, or until advised by the district's legal counsel that the ESI is no longer subject to litigation. This includes all personal ESI stored on district computer systems subject to any such order.
 - Supervisors or department directors of employees subject to litigation or a discovery order shall personally ensure those employees make immediate copies of all working files stored on their District-owned computer system to permanent media. That permanent media shall be collected and stored. Each employee will be personally informed by the supervisor that any subsequent records they create are subject to discovery and may not be deleted. The supervisor will, on a regular basis, make copies of new files to permanent media. Supervisors may contact the Information Technology Department for assistance as required.
- E. **Matter Subject to Litigation** - All district employees who become aware of any incident that becomes the subject of litigation shall inform their supervisor immediately. Any and all ESI pertaining to that incident, including personal ESI, shall be retained indefinitely, or until advised by the district's legal counsel that the ESI is no longer subject to litigation.
- F. **Deleted Items** - Individuals will ordinarily review and evaluate email messages promptly after they are received. Content judged to be preliminary drafts or notes, or to be material that is not kept in the ordinary course of business may be deleted immediately.



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- G. **Departure of Employees** - When a person resigns, retires, is terminated, or otherwise leaves district employment, that employee's supervisor or other district administrators may request that a complete copy of all district-owned files on the person's district computer system is archived.