



Chico Unified School District

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Board Policy:

#3585

Section: 3000

**Business and
Noninstructional
Operations
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ELECTRONICALLY STORED INFORMATION (ESI) AND ELECTRONIC MAIL POLICY

It shall be the policy of the Chico Unified School District (CUSD) to retain all Electronically Stored Information (ESI), as defined in AR 3585, for a period of four years.

It shall be the policy of the District that the District's Electronic Mail ("e-mail") system is intended to be a medium of communication, and not to be used for the electronic storage of District records. For the District's e-mail system to function as intended, employees must ensure that any District records created or transmitted by e-mail are developed, maintained, and/or disposed of in accordance with applicable law. It shall be the policy of the District that ESI and Electronic Mail shall only be considered to be retained in the ordinary course of business if retained in accordance with BP and AR 3585.

Electronic Mail, as defined in AR 3585, shall be retained in the ordinary course of business for a period of one year after which time such records may be expunged.

However, ESI and Electronic Mail shall be retained for a period longer than those stated above if required by applicable law, regular or policy. ESI and Electronic mail shall be retained for a longer duration if so required under 5 CCR §16020 *et seq.* or as potential evidence in litigation.

(cf. Education Code §35253)

(cf 5 C.C.R. §§16020-16027)

(cf Federal Code of Civil Procedure, Rule 26)

(cf Federal Code of Civil Procedure, Rule 37(f))

(cf California Code of Civil Procedure, §1985.8, §2016 et seq; §2031 et seq.; Cal. Rule of Court 3.724)

All District records, including ESI and Electronic Mail, shall be developed, maintained, and disposed of in accordance with law and California Department of Education regulations. [Government Code §§6250-6270; EC §§35145, 35163, 35250-35255, 44031, 49065; 5 CCR §§16020-16027]

Inspection of District disclosable public records must be available to members of the public upon request during office hours. [GC 6252-6253] The public agency can adopt reasonable rules of access to protect the safety of the records from theft or damage and to prevent inspection from disrupting the operation of the agency (*Bruce v. Gregory (1967) 65Cal.2d666*).

Questions concerning Electronic Records should be directed to the Director of Information Technology. Title 5, CCR provides that record retention procedures are to ensure the efficient, reliable and economical management of information. The management of information should be designed to ensure that information is accessible and available while at the same time minimizing the costs and burdens to taxpayers associated with the expense of retaining records that are no longer necessary to the discharge of official business.

Originators and recipients of records are responsible for identifying and saving documents that must be retained in order to comply with Federal, state, or local laws, CUSD policies or directives, or upon notice of possible litigation or E-Discovery.