

SUBJECT: RECORDS RETENTION AND DESTRUCTION POLICY

I. PURPOSE

The purpose of this policy is to provide guidelines to staff regarding the retention or destruction of records of the Eden Township Healthcare District (the "District"); provide for the identification, maintenance, safeguarding and destruction of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements.

II. PROCEDURE

- A. The employee completes and signs a "Request for Destruction of Obsolete Records" form, listing the date and description of each document to be destroyed. A sample form is attached to this policy as Attachment "B". The employee submits the form to the Records Coordinator.
- B. The Records Coordinator checks the documents listed on the submitted form to confirm that each document is: (1) not required to be permanently retained, or (2) has been retained for the legally required period of time. The Records Coordinator also confirms that any applicable reproduction requirements (i.e., imaging, etc.) for each document are complete.
- C. The Records Coordinator submits the form to the Chief Executive Officer, who reviews and signs the form and then returns the signed form to the Records Coordinator.
- D. After receiving the signed form from the Chief Executive Officer, the Records Coordinator oversees the destruction of the documents, indicates the method of destruction on the form, signs the form and returns the original signed form to the Chief Executive Officer.
- E. The Chief Executive Officer will retain all original signed forms requesting destruction of records for a minimum period of two (2) years.

III. GENERAL GUIDELINES

- A. The Records Coordinator, designed by the Chief Executive Officer, shall be responsible for the administration of this policy and shall assist all District personnel to comply with the provisions of this policy and with the Records Retention Schedule, set forth in Attachment "A".
- B. The following general guidelines apply to all District records.

1. The Board of Directors, by majority vote, may authorize at any time the destruction of any **duplicate** records. (Gov. Code Section 60200).
2. Pursuant to the resolution adopted by the Board of Directors, except where a record is expressly required to be preserved according to State law, the District may approve the destruction of any original document without retaining a copy of the document as long as the retention and destruction of the document complies with the retention schedule as set forth in this policy (Gov. Code Section 60201).
3. In addition to the retention periods required under this policy, the District shall retain original administrative, legal, fiscal and/or historical records with continued value (i.e., records for long-term transactions and/or special projects) until all matters pertaining to such records are completely resolved or the time for appeals has expired. (Gov. Code Section 14755 (a), Gov. Code Section 34090).
4. Pursuant to Government Code Section 60201, the District shall not destroy any of the following records:
 - a. Records relating to the formation, change of organization, or reorganization of the District;
 - b. Resolutions, unless they have been repealed or have become invalid or otherwise unenforceable for five years;
 - c. Minutes of any meeting of the District Board, commission, or committee;
 - d. Records relating to any pending claim, litigation, any settlement or other disposition of litigation until two (2) years after settlement or adjudication;
 - e. Records that are the subject of any pending request for records under the California Public Records Act, whether or not the record is exempt from disclosure, until the request has been granted or two (2) years after the request has been denied by the District;
 - f. Records relating to any pending construction that the District has not accepted or for which a stop notice claim may be legally presented;
 - g. Records relating to any non-discharged debt of the District;
 - h. Records relating to the title to real property in which the District has an interest;
 - i. Records relating to any non-discharged contract to which the District is a party;

- j. Records that have not fulfilled the administrative, fiscal, or legal purpose for which they were created or received;
- k. Unaccepted bids or proposals, which are less than two (2) years old, for the construction or installation of any building, structure or other public work;
- l. Records less than seven (7) years old that specify the amount of compensation or expense reimbursement paid to District employees, officers, or independent contractors.

IV. RECORDS RETENTION SCHEDULE

The "Records Retention Schedule" is attached to this policy as Attachment "A" and is incorporated herein by reference. This policy and the Records Retention Schedule comply with the records retention guidelines provided by the California Secretary of State and may be updated from time to time.

APPROVED BY THE BOARD OF DIRECTORS:

Lester Friedman (Date)
Chair, Board of Directors

Roxann Lewis (Date)
Secretary, Board of Directors

Adopted: 06/17/15

Attachment A

EDEN TOWNSHIP HEALTHCARE DISTRICT

Records Retention Schedule

Document Title	Retention Period	Secretary of State Local Government Records Management Guidelines Page Reference (2/06 Version) Or Code Section	Comments
Financial Records			
Independent Auditors Report	Permanent	C-30	
Budgets	Permanent	C-17; C-29	
Bonds	Closed/Completion + 10 Years	C-17; C-31	
General Ledger	Permanent	C-29	
Investment Transactions	Permanent	C-30	
State Controller's Annual Report	Permanent	C-30	
Accounts Receivables	Audit + 4 Years	C-29	
Bank Reconciliations	Audit + 5 Years	C-29	
Billing Records	Audit + 2 Years	C-29	
Budget Adjustments	Audit + 2 Years	C-29	
Canceled & Voided Checks	Audit + 5 Years	C-29	

Deposits/Receipts	Audit + 4 Years	C-29	
Accounting Journals	Permanent	C-29	If "Budget Adjustments, Journal Entries," then Audit + 2 Years; otherwise, default is permanent, due to lack of "Accounting Journals" category.
Invoices	Audit + 2 Years	C-29	
Inventory	Audit + 4 Years	C-29	
<i>Administrative</i>			
Agenda Reports	Current Year + 2 Years	C-22	
Minutes	Permanent	C-23	Official minutes and hearing proceedings of governing body or board, commission, or committee
Recording Tapes	3 Months	C-23	
Resolutions	Permanent	C-23	
Formation Records	Permanent	C-22	"Articles of Incorporation" used as reference.
Policies & Procedures	Supersede + 5 Years	C-19	Retain while current
Conflict of Interest Code	Permanent	Gov. Code Section 87300, et seq.	Required under Political Reform Act; reviewed every 2 years
Ethics Training Records (AB 1234)	5 Years after receipt of training	Gov. Code Section 53235.2	Records required under Gov. Code Section 53235.2
Correspondence	Current Year + 2 Years	C-19	If not attached to agreement or project file.
Staff Reports	Current Year + 2 Years	C-19	

Mission Statements	Active	A-2	Active until revised
Requests for Proposals	3 Years	A-2	
News Clippings	2 Years	A-3	
Press Releases	2 Years	A-3	
Brochures, publications, newsletter, bulletin	Supersede + 2 Years	C-24	
Grants			
Community Grants – Approved	Termination + 4 Years	C-19	Applications, reports, contracts, supporting documents
Community Grants – Denied	2 Years	C-19	Applications not granted
Human Resources & Payroll			
Employee Personnel Records (Copies)	Permanent	C-24	
Payroll Register	Permanent	C-21	
Payroll- Federal/State Reports (Records of Deductions)	7 years	C-30	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports
Salary Records	Termination + 7 Years	C-30	Deduction authorization, beneficiary designations, unemployment claims, garnishments

Employee Benefits	Life of Plan/Policy + 6 Years		Benefit plans; health, dental, vision programs; records regarding COBRA; deferred compensation plans
Employment Eligibility Verification (I-9 Forms)	3 Years after date of hire, or 1 year after date of termination, whichever is later	8 USC 1324a (b)(3)	Federal Immigration & Nationality Act; Immigration Reform/Control Act 1986
Disability Claims	Audit + 6 Years	C-30	
Disability Records	Permanent	C-20	
Recruitment	Permanent	C-20	
Accident Reports	Closed/Completion + 3 Years	C-21	Includes applications and interview information.
Claims/Damage	Closed/Completion + 7 Years	C-24	
Incident Reports	Closed/Completion + 5 Years	C-24	
Employee Handbook	Supersede + 2 Years	C-20	General employee information, including benefit plans
<i>Property Contracts and Agreements</i>			
Contracts and Agreements (Including Capital Improvements)	Termination + 5 Years	C-22	Includes leases, equipment, services, or supplies.
Construction Records	Permanent	C-22	
Deeds and Easements	Permanent	C-29	Originals may not be destroyed

Plans and Specifications (Approved Construction)	Permanent	C-28	
Plans and Specifications (Submitted By Contractors With Permit Applications)	Permanent	C-26	
Insurance Certificates	Current + 2 Years	Gov. Code Section 34090	Liability, performance bonds, employee bonds, property: insurance certificates filed separately from contracts, includes insurance by licensees.

Insurance, Liability/Property	Current + 2 Years	Gov. Code Section 34090	
<i>Elections</i>			
Certificates of Election	Permanent	C-23	
Statement of Economic Interest (Elected Officials)	Termination + 4 Years	C-17	
Oaths of Office	Termination + 7 Years	C-18	
Board of Director Applications (Not Accepted)	Closed/Completion + 2 Years	C-25	
Board of Director Applications (Accepted)	Closed/Completion + 2 Years	C-22	
<i>Miscellaneous</i>			
Legal Opinions	Permanent	C-24	

(confidential)			
Litigation	Until settled or adjudicated + 2 Years	Gov. Code Section 34090	Case Files
Public Notices/Legal Publications	Current Year + 4 Years	C-23	
Unaccepted Bids	Closed/Completion + 4 Years	C-23	Contain lasting administrative and legal value.
Public Records Requests	Closed/Completion + 2 Years	C-29	
Records Management Disposition/Destruction Certification	Permanent	Gov. Code Section 34090	Documentation of final disposition/destruction of records

