

Type of Record

Most records created by the MCCCDC are considered public records and are subject to release upon request.

- **Disclosure:** To reveal, to make known, or to make available for inspection. With the exception of student education records, the majority of records that are created are subject to review.
- **Non-disclosure:** The act of, or decision made, to not disclose a record. Public officials cannot arbitrarily decide what information not to disclose. Requests may be denied based upon the requirements established by state and federal law. Denying access to public records may occur if:
 - o The information is statutorily confidential or privileged (FERPA, HIPAA)
 - o The information falls within an individual's right to privacy (personal address/phone, social security number)
 - o It is not in the best interest of the State to release it (to do so would seriously impair performance of duties)
 - o The records are sealed by Court Order

Confidential information is protected from public release (except during a legal discovery process).

Questions regarding disclosure or non-disclosure should be directed to the **Office of Public Stewardship**.

Disposition Steps

1. Identify type of record and what schedule it is listed on.
 - *If it's not listed on an approved schedule (but is subject to release) it may not be disposed of. Work with the Office of Public Stewardship to create a*

custom retention schedule for your records. This schedule will then need to be approved by the Arizona State Library before the records may be disposed of.

- If the record is not subject to release, then determine if the institution needs the information to meet legal or statutory guidelines. For example, student work is not subject to release, but MCCCDC regulations allow a period of one year for students to grieve a grade.
2. Check the retention schedule to determine retention time frame.
 3. Check for any legal holds, audits or public records requests.
 4. Complete a **Report/Certificate of Destruction Form** and mail it to the Arizona State Library, Archive and Public Records division.
 5. Dispose of documents by deleting, shredding, or recycling (see Recycle vs. Shred below).
 6. Destroy all copies at the same time the records are destroyed.

Recycle vs. Shred

1. What type of record is it?

- o **Public record**—These are governed by a retention schedule set by the Arizona State Library, Archives and Public Records; check the schedule to determine the acceptable time frame for disposition. **Yes**—See number 2.
- o **Student, medical, or other protected documents**—These are protected by state or federal statute (i.e., FERPA, HIPAA, attorney-client privilege, etc.). **Yes**—Such items can only be disposed of by shredding and

only after all time frames specified by legal or statutory need have been met.

2. Are the records part of a legal hold, audit or public records request?

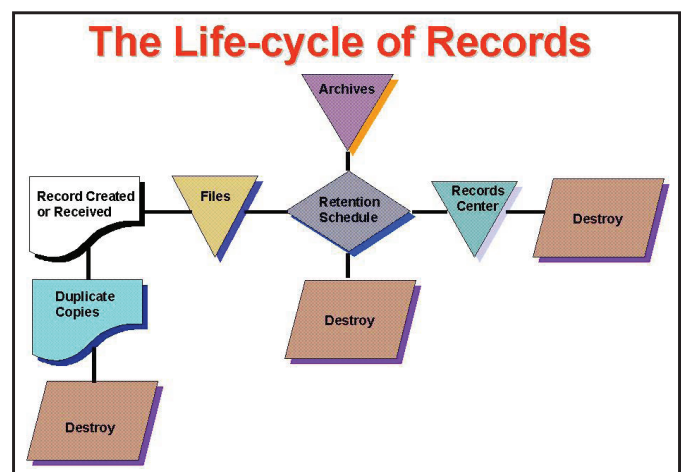
- o **Yes**—Box the files and mark for destruction but keep them in an easily accessible but secure location until the hold is lifted or legal action or public records request has been completed.
- o **No**—See number 3.

3. Do the records contain any Personally Identifiable Information (PII)? (student identification number, social security number, home address, home phone, etc.)

- o **Yes**—Shred the documents to ensure confidentiality.
- o **No**—Records may be recycled.

Retention Schedules

The Arizona State Library, Archives and Public Records is responsible for setting the acceptable time frame to retain public records for the State of Arizona and its political subdivisions. The current schedules can be found on their web site (www.lib.az.us) or at the Office of Public Stewardship web (www.maricopa.edu/publicstewardship/pr/retention.php).



Retention Schedules for Arizona Community College Districts

- Administrative
- Audit
- Bond
- Charter Schools
- Child Care Program
- Curriculum Office
- EEO/Affirmative Action
- Elections
- Electronic Communications, Social Networking and Website
- Equipment/Vehicle Services
- Facilities/Grounds Management
- Finance
- Financial Aid
- Human Resources/Personnel
- Information Technology (IT)
- Institutional Research
- Law Enforcement
- Library
- Management
- Office of General Counsel
- Public Information/Marketing
- Public Safety
- Purchasing/Procurement
- Registrar
- Student Records for School Districts and Charter Schools
- Testing/Assessment Centers
- Undergraduate Admissions
- Warehouse/Supply

New Schedules in Process

The Office of Public Stewardship (OPS) will be working with the following functional areas to define customized schedules and have them approved by the Arizona State Library.

- Academic Affairs
- Adjunct Faculty Files
- Advising/Counseling
- Aviation
- Career Services
- Computer Lab
- Development/Fundraising
- Disability Services
- Fitness Center
- Health Care/Nursing (**New Schedule Proposed: Medical and Public Health; PENDING review**)
- Honors



Sunshine Week is a national initiative to open a dialogue about the importance of open government and freedom of information
www.sunshineweek.org

Arizona Republic's Sunshine Week Annually in March



- Instructional Support
- National Center for Teacher Education
- Small Business Development Center
- Telecommunications
- Veterans Services

Addendum to Existing Schedule

- Financial Aid (**New Schedule Proposed; PENDING review**)
- Purchasing Procurement Card

Value of Records

Documents are considered records if they provide value to the MCCCDC in one of the following ways:

- ✓ **Administrative:** Records that are needed to conduct a department's daily business (i.e., Procedures Manuals, Retention Schedules, Memos, Reports)
- ✓ **Fiscal:** Records needed to document the audit trail of monies (i.e., Budget Records and Expenditure Reports, Wage and Salary, Benefits, Business Forms-Petty Cash Vouchers, Book Vouchers, Travel Requests, Expense Claim Forms)
- ✓ **Legal:** Specific legal requirements to keep records for a given period of time can be found in the Arizona Revised Statutes (ARS), United States Code (USC) and Code of Federal Regulations (CFR) or any document that shows an agreement between MCCCDC and another entity or that MCCCDC uses to regulate itself by aligning with State/Federal laws (i.e., Contracts and Agreements, Administrative Regulations, Governing Board Policies)
- ✓ **Historical:** Any record that details the conception, creation, operation, and evolution of MCCCDC and its

community partnerships (i.e., Governing Board Minutes, Student Records, Chancellor/President Papers, College History, Photos, Plans, Architectural Renderings)

- ✓ **Academic/Instructional:** Records that are used in the process of instruction (i.e., course syllabi, instructional materials and student work—papers, exams, projects, portfolios, art work, performance pieces, etc). Although student work is not subject to a retention schedule or release, it must be protected as confidential information.

What is a Student Record?

- Documents or data that are created by or about a student (student work—papers, exams, projects, portfolios, art work, performance pieces, etc.)
- Any business process documents used for student registration, enrollment, advising, counseling, disability services, etc.
- Official correspondence with a student (letter or email) addressing instructional or college processes (including grievances or code of conduct)
- Personal communication between instructor and student about student coursework or class, in general
- Any other documentation of a student's status, accommodation (if applicable) or progress through the MCCCDC.

For More Information

Questions regarding any of the above can be directed to:

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<http://www.maricopa.edu/publicstewardship/pr/retention.php>