



## Board Administration Policy

# Document and Data Retention Policy

---

### I. Purpose

- A. To establish guidelines for the storage, maintenance, and destruction of documents and data owned, managed, or controlled by SJCERA in accordance with their administrative, legal, fiscal and historical value.

### II. Authority

- A. This policy is written in accordance with California Government Code Section 31537 (retirement board may establish efficient records management procedures), Section 12236 (guidelines for local government records retention) and the Uniform Electronic Transaction Act, Civil Code section 1633.1, which provides requirements if electronic records are retained in lieu of paper records.

### III. Guidelines

- A. Unless otherwise specified in the Document and Data Retention Schedule, once the information in electronic format has been verified, the records from which the electronic images were created should be destroyed. The information in the electronic format then becomes the copy of record (also known as the record or master copy) and must be retained as specified on the document retention schedule.
  - i. The CEO will be responsible for the creation and maintenance of the SJCERA Document and Data Retention Schedule. The CEO shall ensure compliance with all applicable laws and regulations.
  - ii. The minimum retention period of a record must be consistent with applicable laws, orders, rules or regulations. When no such criteria exist, a reasonable retention period will be established based on SJCERA's needs and the usefulness of the information.
  - iii. Once records have fulfilled their administrative, fiscal or legal function, they will be disposed of as soon as practical in accordance with the Document and Data Retention Schedule, unless they have enduring historical value as determined by the CEO.
  - iv. Board action is not required for the destruction of documents in accordance with Document and Data Retention Schedule.
  - v. Exceptions to the Document and Data Retention Policy may be made by the appropriate manager in consultation with the CEO. Exceptions should weigh the need for retaining the record against the cost to store and retrieve the record.

- vi. Retained information must be stored in a manner designed to ensure its accessibility, integrity, confidentiality, authenticity and legibility. No pages of any record shall be destroyed if any page cannot be reproduced with full legibility. Every unreproducible page shall be permanently preserved in a manner that will afford easy reference.
- vii. Preliminary drafts and notes may be destroyed if they are no longer needed and there is no legal or policy requirement that they be retained.
- viii. Imaged files or other electronic reproduction of records shall be deemed to be an "original" record of the paper record and the paper records may be destroyed, upon a determination by the CEO that:
  - a. The records were electronically imaged or recorded on a medium that is a trusted system and that does not permit additions, deletions or changes to the original document;
  - b. The device used to reproduce the record, paper or document on the medium is one which accurately and legibly reproduces the original thereof in all details and that does not permit additions, deletions or changes to the original document images;
  - c. The imaged or reproduced records are used by SJCERA in the ordinary conduct of its business in lieu of the paper records and made as accessible for public reference as the paper records were; and
  - d. A true electronic or paper copy of archival quality shall be kept in a safe and separate place for security purposes. (See Section V.A of this policy)
  - e. No pages of any record shall be destroyed unless or until all pages can be legibly reproduced. Any unreproducible page(s) shall be preserved in a manner that will afford easy reference until or all legal and policy requirements are satisfied.
- B. In consultation with counsel, records pertinent to an administrative investigation, anticipated or pending litigation, or subject to an express litigation "hold," shall be retained until final resolution of the investigation or litigation, or until expiration of the regular specified retention period, whichever is later.

#### **IV. Email Correspondence**

- A. Electronic communications, including e-mail, are considered transitory in nature and are not customarily kept or retained by SJCERA as the primary

means for preserving information for future reference. E-mail will be purged from the system per the Document and Data Retention Schedule.

**V. Electronic Data Retention**

A. All electronic data will be backed up on a predetermined schedule (daily or weekly) utilizing secure off-site storage platforms.

**VI. Policy Review**

A. Staff shall review this Policy at least once every three years to ensure that it remains relevant, appropriate, and in compliance with Government Code Sections 12236 and 31537. Any revisions or amendments to this policy must be approved by the Board of Retirement in accordance with its bylaws.

**VII. History**

09/14/2007	Board adopted Policy
11/11/2017	Staff updated format
10/12/2018	Amended
04/12/2019	Policy Review section amended to at least once every three years
07/09/2021	Updated statutory reference, storage platform, and aligned with existing processes
07/16/2024	Non-substantive change

**Certification of Board Adoption:**



07/16/2024

---

Clerk of the Board

Date