



**UNIVERSITY SENATE**  
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**From:** Aarti Ivanic, Chair of University Senate  
**To:** James T. Harris III, President  
**Cc:** Ms. Megan Mazza, Interim General Counsel; Saturino Garcia, Secretary of University Senate  
**Date:** 10-16-2019  
**Re:** Proposed Amendments to Records Retention Policy 2.2.7

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Dear President Harris,

The University Senate discussed and approved on 10-10-2019 an amendment to Policy 2.2.7 – Records Retention Policy. The amendments were approved: **In Favor: 30, Opposed: 0, Abstain: 0.**

The Office of the General Counsel has, from time to time, the need to quickly update USD's Records Retention policy, in order to comply with the local and federal law. Per our previous General Counsel, Ms. Kelly Douglas, "A number of factors are considered in deciding the retention periods: legal requirements, regulatory requirements, and best practices in higher education. It's not possible to include every type of document in the schedule. From time to time, various departments ask to add new categories of documents to the Table (*Table A*) and update the retention periods. Having the flexibility to update the schedule is important."

In September, 2019, Ms. Douglas requested an amendment to the existing policy to allow that the Office of the General Counsel, with the approval of the President, can make updates to what records are kept by the University, without University Senate approval. The members of the University Senate agreed and requested that they are informed in a timely manner, of any changes that are made. The redlined policy can be found on the next page and the specific changes are provided below:

"With the advance written approval of the President, in consultation with the Office of the General Counsel, Table A may be updated as appropriate. The Office of the General Counsel will submit to the University Senate and notify the University archivist, in a timely manner, of any changes that are made to Table A."

For your information, Table A is a line item of all the records we need to retain as a University as well as the corresponding length of time for which they need to be retained. It is in the Excel File which is attached with this document.

We request your approval of this proposed change to the undergraduate catalog. Please feel free to reach out to me should you have any questions.

Best,

Dr. Ivanic

### **2.2.7 Record Retention Policy**

The University of San Diego is committed to effective record retention to comply with applicable law, to preserve its history, to optimize the use of space, and to ensure that university records that are no longer needed are properly discarded.

This policy sets forth the standards and procedures that govern the retention of university records. For the purpose of this policy, a university record includes any record that is made, produced, executed or received by any department, office, or employee of the university in connection with the transaction of university business. This policy applies to all records without regard to format, and includes but is not limited to documents in paper, electronic, microform (e.g. microfilm, microfiche, magnetic tapes, and CD-ROMS), and other traditional media format.

Individual departments or units may establish appropriate procedures that are consistent with and in furtherance of this policy.

#### **Retention Periods**

Table A, attached hereto and incorporated herein by reference, identifies the minimum retention period for university records. Record retention periods may be increased by government regulation, judicial or administrative consent order, private or governmental contract, pending litigation, or audit requirements. Any such modifications supersede the requirements identified in this policy. With the advance written approval of the President, in consultation with the Office of the General Counsel, Table A may be updated as appropriate. The Office of the General Counsel will submit to the University Senate and notify the University archivist, in a timely manner, of any changes that are made to Table A.

Please note that no document list can be exhaustive. The minimum retention period for a university record not identified on Table A shall be the retention period required by applicable law. Questions regarding the retention period for any specific document or class of documents not included in Table A should be addressed to the Office of the General Counsel.

#### **Disposal of University Records**

University records may be discarded once the minimum retention period is reached, provided that (1) the disposal of the records complies with all legal, contractual or accreditation obligations; (2) the records to be disposed of do not relate to or contain information regarding a current, pending, or known potential litigation, investigation, or audit involving the university; and (3) records containing student information, employee personnel information, or sensitive and/or confidential information are shredded or otherwise rendered unreadable prior to disposal.

A vice president, dean, or department head is responsible for ensuring that university records in his or her unit or department are retained or disposed of in a manner consistent with this policy.

(Effective October 10th, 2019)