

Title	: Public Records and Retention	
Number	:	2040.02
Approved	:	10/21/21
Reference	: GCCCD 2040.00; A.R.S. §§39-101 through 121; Arizona State Library, Archives, & Public Records	

The Graham County Community College District (EAC or the College) is obligated to retain its records in a consistent manner throughout the District.

The College President, or the President’s designee, is authorized to manage the public records of the District.

The Vice President of Administration and the Director of Fiscal Control/Controller are responsible for the retention, retrieval, disclosure and disposal of public records related to Finance and Budget.

The Vice President of Academic and Student Affairs is responsible for the retention, retrieval, disclosure and disposal of records relating to Academics and Students.

The Director of Human Resources (Director of HR) is responsible for the retention, retrieval, disclosure, and disposal of public records related to employees.

This authority also extends to having access to the electronic records of an EAC employee under the procedures and narrow circumstances specified in this regulation. Under those circumstances and procedures, the Director of HR and the Chief Information Officer (CIO) or the appropriate designees, are authorized to access those electronic records. The District Executive Team (DET) may authorize access on a case-by-case basis to a supervisor of that employee justifying the need for access, the scope of the access, and the duration that access is needed.

Public Records in General

Under Arizona’s public records law, EAC must make public records in its custody open for public inspection by any person, and to provide any person with copies on request. That mandate includes records that reside in electronic form. EAC also must preserve those records according to the standardized retention and disposition schedules approved by the Office of the Arizona State Library, Archives and Public Records (Arizona State Library) applicable to Arizona Community Colleges and Districts (Retention Schedule).

EAC employees should presume that all work-related records that they produce during work hours as well as communications and attachments sent or received electronically in the performance of duties relating to EAC (whether through an EAC technology resource or other technology resource) are public records.

Individual Employee’s Responsibility to Comply

The Arizona State Library places the responsibility to manage public records in compliance with the law on the individual employee. It does not matter whether the record is in paper or electronic form. The responsibility is on the same – on the individual.

Where a record is only in electronic form and resides within EAC’s technology resources, an electronic record that an employee deletes may still be retained through the normal operation of those resources. However, the law as interpreted by the Arizona State Library, does not place primary responsibility for retention of those records on EAC technology resources. The primary responsibility for managing each individual employee’s electronic records is squarely on that employee.

It is a violation of College Policy 2040.00 “Public Records,” for an employee to delete or alter an electronic public record in violation of public records retention requirements, or in anticipation of receiving or after receipt of a public records request, subpoena, a request for records as part of an EAC grievance, investigation or review, or other lawful request for the record.



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Understanding and Applying Record Retention and Disposal Standards

The official General Retention Schedule for Community Colleges is available at www.azlibrary.gov.

The Arizona State Library places public records into categories based on their content. The length of time a record must be maintained varies by category with differing retention requirements. In those cases, the employee should keep it for the longest duration specified in the Retention Schedule.

For electronic records, this regulation recommends a general retention/disposal standard for employees of one year from the creation or receipt of the record. During that time, the employee is encouraged to review the Retention Schedule to determine if a shorter or longer period of time is required. If the employee believes that retention beyond a year is required, the employee shall take the appropriate measures to retain the record.

Finally, EAC employees are reminded not to retain records beyond the period of time that the Retention Schedule requires.

Record Holds

The DET may direct that some or all EAC employees place a hold on deleting records relating to particular subjects or issues. Once that directive is given, employees are prohibited from deleting or altering the records that are subject to the hold until advised that the hold is lifted. Situations in which holds are likely to occur include but are not limited to litigation involving EAC and law enforcement investigations.

Access to Electronic Records

Investigative Access. There are circumstances under which the DET needs to have access to an employee’s e-mail communications or other electronic records without advising the employee. Those situations generally occur when: EAC is served with a subpoena, a warrant, or judicial order that requires confidentiality; confidentiality is directed by a law enforcement agency; or the employee is subject of an EAC grievance, investigation or review that the DET determines, after initial review, requires access.

If the DET believes that there is a need to access an employee’s e-mail communications or other electronic records, they shall discuss the matter with the Director of HR. The DET or Director of HR shall then authorize the CIO to have direct access to conduct a search.

If the requirement for confidentiality is removed, the person that authorized the search may, but is not obligated, advise employees that their e-mails or other electronic records were accessed.

Operational Access. There may be operational circumstances that require access to an EAC employee’s electronic records in the absence of the employee such as when the employee is on vacation or ill. Like paper documents on an employee’s desk or files, electronic records belong to EAC and need to be available for business purposes. In those instances, the DET may authorize the CIO or designee to retrieve the applicable materials.

Access to Former Employee’s Records. All records should be maintained according to value and the respective retention schedule. Employees who resign or retire from EAC shall contact their direct supervisor about preserving their electronic records before their departure. Those records shall be transferred to a storage device and provided to the supervisor.

Requests for Copies



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EAC employees may request that electronic communications created by them or written directly to them be restored from backup in case of a hardware or system failure where the electronic record has passed through the EAC's servers. Requests for copies of electronic communications should be submitted through a Help Desk request in Beacon. The College's Information Resources Department will comply with the request and coordinate retrieval of the information, if possible, in a reasonable time.

