

**TITLE 1            GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 20       EDUCATION RECORDS RETENTION AND DISPOSITION SCHEDULES (EDRRDS)**  
**PART 2            EDRRDS, NEW MEXICO PUBLIC SCHOOLS**

**1.20.2.1            ISSUING AGENCY:** [Commission of Public Records] - State Records Center and Archives  
[7-30-97; 1.20.2.1 NMAC - Rn, 1 NMAC 3.2.95.1, 7-22-2002]

**1.20.2.2            SCOPE:** All state education entities  
[7-30-97; 1.20.2.2 NMAC - Rn, 1 NMAC 3.2.95.2, 7-22-2002]

**1.20.2.3            STATUTORY AUTHORITY:** Section 14-3-6 NMSA 1978. Administrator duties. The administrator shall establish a records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation and disposal of official records. The administrator shall establish records disposal schedules for the orderly retirement of records and adopt regulations necessary for the carrying out of the Public Records Act. Records disposal schedules shall be filed with the librarian of the supreme court library, and shall not become effective until thirty days after the date of filing.  
[7-30-97; 1.20.2.3 NMAC - Rn, 1 NMAC 3.2.95.3, 7-22-2002]

**1.20.2.4            DURATION:** Permanent  
[7-30-97; 1.20.2.4 NMAC - Rn, 1 NMAC 3.2.95.4, 7-22-2002]

**1.20.2.5            EFFECTIVE DATE:** December 30, 1998  
[7-30-97; 1.20.2.5 NMAC - Rn, 1 NMAC 3.2.95.5, 7-22-2002]

**1.20.2.6            OBJECTIVE:**  
A. To establish a records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation and disposal of official records (Section 14-3-6, NMSA 1978).  
B. To establish records disposal schedules for the orderly retirement of records and adopt regulations necessary for the carrying out of the Public Records Act (Section 14-3-6 NMSA 1978).  
[7-30-97; 1.20.2.6 NMAC - Rn, 1 NMAC 3.2.95.6, 7-22-2002]

**1.20.2.7            DEFINITIONS:**  
A. **“Administrator”** means the state records administrator (Section 14-3-2 NMSA 1978).  
B. **“Agency”** means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico (Section 14-3-2 NMSA 1978).  
C. **“Audit”** means a periodic examination of an organization to determine whether appropriate procedures and practices are followed.  
D. **“Commission”** means the state commission of public records (Section 14-3-2 NMSA 1978).  
E. **“Pending litigation”** means a proceeding in a court of law whose activity is in progress but not yet completed.  
F. **“Record destruction”** means the process of totally obliterating information on records by any method to make the information unreadable or unusable under any circumstances.  
G. **“Records management”** means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.  
H. **“Records retention period”** means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.  
I. **“Records retention schedule”** means a document prepared as part of a records retention program that lists the period of time for retaining records.  
J. **“Public records”** means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).

**K.** “**Non-records**” means library or museum material of the state library, state institutions and state museums, extra copies of documents reserved only for convenience of reference and stocks of publications and processed documents are non-records (Section 14-3-2 C NMSA 1978). The following specific types of materials are non-records: extra copies of correspondence; documents preserved only for convenience of reference; blank forms, books which are outdated; materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; preliminary and non-final drafts of letters, reports and memoranda which may contain or reflect the working or deliberative process by which a final decision or position of the agency, board, department or subdivision thereof is reached: shorthand notes, steno tapes, mechanical recordings which have been transcribed, except where noted on agency retention schedules; routing and other interdepartmental forms which are not significant evidence of the activity concerned and do not otherwise have value as described above; stocks of publications already sent to archives and processed documents preserved for supply purposes only; form and guide letters, sample letters, form paragraphs; subject files, including copies of correspondence, memoranda, publications, reports and other information received by agency and filed by subject (also referred to as reading files or information files). See also Item No. 101 of Records Retention and Disposition Schedule for General Administrative Records (1.15.3 NMAC, filed 9-1-2000). [7-30-97; 1.20.2.7 NMAC - Rn, 1 NMAC 3.2.95.7, 7-22-2002]

**1.20.2.8 [RESERVED]**

**1.20.2.9 INSTRUCTIONS:**

- A.** For records of a general administrative nature, refer to the Records Retention and Disposition Schedule for the General Administrative Records, 1.15.3 NMAC.
- B.** For records of a financial nature, refer to the Records Retention and Disposition Schedule for General Financial Records, 1.15.5 NMAC.
- C.** For records of a personnel nature, refer to the Records Retention and Disposition Schedule for the General Personnel Records, 1.15.7 NMAC.
- D.** For records of medical nature, refer to the Records Retention and Disposition Schedule for the General Medical Records, 1.15.8 NMAC.
- E.** Retention periods shall be extended until six months after all current or pending litigation, current claims, audit exceptions or court orders involving a record have been resolved or concluded.
- F.** The descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are filed in a file that are not listed in the description, and similarly, not every file will contain an example of each document listed in the description.
- G.** Confidentiality is denoted as “-C-”. Not all materials in a file may be confidential. Refer to NOTE. Where portions of file may be confidential, refer to legal counsel for agency.
- H.** Access to confidential documents and/or confidential files shall be only by authorization of agency or Attorney General and/or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies, shall only be upon specific statutory authorization or court order.
- I.** All records, papers or documents may be photographed, microfilmed, microphotographed or reproduced on film. Such photographs, microfilms, photographic film or microphotographs shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies (Sections 14-1-5, 14-1-6 NMSA 1978).
- J.** Data processing and other machine readable records. Many paper records are being eliminated when the information has been placed on magnetic tapes, disks, or other data processing media. In these cases, the information on the data processing medium should be retained for the length of time specified in records retention and disposition schedules for paper records and should be subject to the same confidentiality and access restrictions as paper records. When the destruction of a record is required, all versions of said record shall be electronically over-written on machine readable media on which it is stored (or media destroyed). See also 1.13.70 NMAC: Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems. [7-30-97; 1.20.2.9 NMAC - Rn, 1 NMAC 3.2.95.8, 7-22-2002]

**1.20.2.10 - 100 [RESERVED]**

**1.20.2.101 STUDENT CUMULATIVE EDUCATION RECORD FILE**

- A. Program:** registrars office

- B. **Maintenance System:** [entity preference]
- C. **Description:** none
- D. **Retention:**

(1) **Transcript. Cumulative achievement record equivalent for elementary and secondary school including information on school entry, withdrawal, graduation, subjects taken, grades received, high school proficiency exam score etc.:** 90 years after date of high school graduation or 90 years after student concerned would normally have graduated from high school, whichever applies

(2) **Student health records. Record includes but is not limited to health history, immunization record, results and recommendations from examinations, screening, treatment, parent or guardian referral record, teachers comments, etc.:** 10 years after date of last entry or until individual attains age 19, whichever is longer (Item 1.15.8.101, NMAC)

(3) **Federal program records. Records concerning the participation in programs in which federal grant or subgrant funds were used.:** five years after submission of final expenditure report by NM department of education

(4) **Other student records, including but not limited to registration record, screening evaluation reports, program participation records, remedial program participation record, counselor notes, teacher notes correspondence, transfer of discharge notice, no-show student records, etc.:** two years after students last attendance

E. **Confidentiality:** confidentiality (20 USCA 1232g and Section 14-6-1 NMSA 1978)  
[12-30-98; 1.20.2.101 NMAC - Rn, 1 NMAC 3.2.95.70.101, 7-22-2002]  
[Note: age when a student would normally graduate high school is 18.]

#### **1.20.2.102 SPECIAL EDUCATION RECORDS**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** records of students with disabilities. Files may include student information sheet,

most recent three years IEP [Individual Education Program], most recent 2 years student progress reports or referral form, related services reports, special reports, summary, parent communication, agency communication, writing sample, staff reports, or behavior, or staff changes, etc.

D. **Retention:** after completion of special services to the child but not sooner than five years after completion of the activities funded under grant award (34 CFR 76.731, 34 CFR 76.734)

E. **Confidentiality:** confidentiality (20 USCA 1232g)  
[12-30-98; 1.20.2.102 NMAC - Rn, 1 NMAC 3.2.95.70.102, 7-22-2002]

[Note one: this item covers only those records of a student with a disability that concern the provision of special education services. Records that are kept on all students (including those with a disability) are covered by other items (i.e., student cumulative education record). Note two: federal regulations and SBE regulations require public education agencies to inform parents of proposed destruction of special education records (34 CFR 300.573 and 6.30.2 NMAC).]

#### **1.20.2.103 STUDENT DISCIPLINARY RECORDS**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** records include but are not limited to detention notice, suspension hearing record,

and correspondence.

D. **Retention:** five years after date of last entry or two years after date of students last attendance, whichever is shorter

E. **Confidentiality:** confidentiality (20 USCA 1232g)  
[12-30-98; 1.20.2.103 NMAC - Rn, 1 NMAC 3.2.95.70.103, 7-22-2002]

#### **1.20.2.104 PUPIL PERSONNEL CUMULATIVE RECORD (GUIDANCE FOLDER)**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** record containing information on all aspects of students school career.

D. **Retention:** five years after date of last entry or two years after date of students last attendance, whichever is shorter

E. **Confidentiality:** confidentiality (20 USCA 1232g)

[12-30-98; 1.20.2.104 NMAC - Rn, 1 NMAC 3.2.95.70.104, 7-22-2002]

**1.20.2.105 SCHOLARSHIP PROGRAM RECORDS**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** records including but not limited to scholarship applications, list of eligible candidates, list of competition winners and alternates, reports, correspondence, scholarship guidelines, etc.
- D. **Retention:** one year after scholarship awarded

[12-30-98; 1.20.2.105 NMAC - Rn, 1 NMAC 3.2.95.70.105, 7-22-2002]

**1.20.2.106 STUDENT EMPLOYMENT CERTIFICATE RECORD**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** record including but not limited to application, evidence of age, parents consent, physical fitness certificate, employment certificate or rejection of application, etc.
- D. **Retention:** until student attains age 21

[12-30-98; 1.20.2.106 NMAC - Rn, 1 NMAC 3.2.95.70.106, 7-22-2002]

**1.20.2.107 NATIONAL HONOR SOCIETY STUDENT SELECTION RECORDS**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** records include but are not limited to information on qualification of eligible students, teacher ratings of students, schools honor society committee voting records, and list of students selected for membership.
- D. **Retention:** one year after end of school year
- E. **Confidentiality:** confidentiality (20 USCA 1232g)

[12-30-98; 1.20.2.107 NMAC - Rn, 1 NMAC 3.2.95.70.107, 7-22-2002]

**1.20.2.108 SCHOOL CENSUS RECORDS**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** show students name, parents name, address, grade, sex, ethnicity, date of birth, etc.
- D. **Retention:** one year after end of school year

[12-30-98; 1.20.2.108 NMAC - Rn, 1 NMAC 3.2.95.70.108, 7-22-2002]

**1.20.2.109 STUDENTS ATTENDANCE RECORD**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** register showing students name, date of birth, parent or guardian name and address, daily attendance, daily absence, daily tardiness, etc.
- D. **Retention:** one year after end of school year

[12-30-98; 1.20.2.109 NMAC - Rn, 1 NMAC 3.2.95.70.109, 7-22-2002]

**1.20.2.110 STUDENTS ATTENDANCE EXEMPTION RECORD**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** request for, or certificate specifying reason for and duration of exemption.
- D. **Retention:** until student attains age 21

[12-30-98; 1.20.2.110 NMAC - Rn, 1 NMAC 3.2.95.70.110, 7-22-2002]

**1.20.2.111 STUDENTS ABSENCE RECORD**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** record concerning students absence. File may include parents, or guardians excuse, investigation report, record attendance of religious observance, etc.
- D. **Retention:** one year after end of school year

[12-30-98; 1.20.2.111 NMAC - Rn, 1 NMAC 3.2.95.70.111, 7-22-2002]

**1.20.2.112 PARENTS CONSENT**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** record concerning parental or guardian consent for student to participate in, or be excused from specific activity, including but not limited to physical education, field trips, or athletic programs.
- D. **Retention:** two years after close of school year or until student attains age nine, whichever is longer

[12-30-98; 1.20.2.112 NMAC - Rn, 1 NMAC 3.2.95.70.112, 7-22-2002]

**1.20.2.113 STUDENTS ACCIDENTS AND ILLNESSES**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** log of students accidents and illnesses during school day.
- D. **Retention:** one year after end of school year
- E. **Confidentiality:** confidentiality (20 USCA 1232g)

[12-30-98; 1.20.2.113 NMAC - Rn, 1 NMAC 3.2.95.70.113, 7-22-2002]

**1.20.2.114 STUDENT ORGANIZATION RECORDS**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** records concerning activities and membership of student organizations.
- D. **Retention:** six years after date created
- E. **Confidentiality:** confidentiality (20 USCA 1232g)

[12-30-98; 1.20.2.114 NMAC - Rn, 1 NMAC 3.2.95.70.114, 7-22-2002]

**1.20.2.115 ATHLETIC PROGRAM RECORDS**

- A. **Program:** registrars office
- B. **Maintenance System:** [entity preference]
- C. **Description:** none
- D. **Retention:**
  - (1) **Records concerning activities and membership of student athletic programs:** six years after date created
  - (2) **Records concerning injuries to school athletes and athletic staff. May include accident reports, x-rays, medical records, etc.:** 10 years after date of last entry
  - (3) **Records of coaches for various school sports, may include play descriptions.:** until reference value ends
- E. **Confidentiality:** confidentiality (Section 14-6-1 NMSA 1978 and 20 USCA 1232g)

[12-30-98; 1.20.2.115 NMAC - Rn, 1 NMAC 3.2.95.70.115, 7-22-2002]

[Note: transfer all pertinent medical materials to medical facility within 24 hours of accident.]

**1.20.2.116 - 200 [RESERVED]**

**1.20.2.201 CURRICULUM RECORDS**

- A. **Program:** instruction records
- B. **Maintenance System:** [entity preference]
- C. **Description:** records describing the courses of study offered by the school. Includes courses, tests, and number of units or credits required for graduation.
- D. **Retention:**
  - (1) **Curriculum catalogue or bulletin:** permanent
  - (2) **Approved curriculum variance application:** 10 years after variance approved
  - (3) **Approved application for occupational education curriculum:** four years after curriculum discontinued
  - (4) **Approved application for curriculum other than occupational education:** one year after curriculum discontinued

(5) **Denied application for curriculum approval or variance.:** one year after end of school year  
[12-30-98; 1.20.2.201 NMAC - Rn, 1 NMAC 3.2.95.70.201, 7-22-2002]

**1.20.2.202 TEACHERS LESSON PLAN**

- A. **Program:** instruction records
- B. **Maintenance System:** [entity preference]
- C. **Description:** none
- D. **Retention:** two years after close of school year

[12-30-98; 1.20.2.202 NMAC - Rn, 1 NMAC 3.2.95.70.202, 7-22-2002]

**1.20.2.203 TEACHERS CLASS ROLLS AND GRADE SHEETS FILE**

- A. **Program:** instruction records
- B. **Maintenance System:** [entity preference]
- C. **Description:** copies of class rolls and grade sheets for each course. Includes teachers daily attendance information.

D. **Retention:** one year after end of term for which created

E. **Confidentiality:** confidentiality (20 USCA 1232g)

[12-30-98; 1.20.2.203 NMAC - Rn, 1 NMAC 3.2.95.70.203, 7-22-2002]

[Note: transfer data concerning grades to registrars office at the end of each grading period to be incorporated into official student transcript.]

**1.20.2.204 EXAMINATION AND TEST ANSWER PAPERS**

- A. **Program:** instruction records
- B. **Maintenance System:** [entity preference]
- C. **Description:** copies of course examinations administered to students during school year. File includes test answer sheets.

D. **Retention:** two years after close of school year

[12-30-98; 1.20.2.204 NMAC - Rn, 1 NMAC 3.2.95.70.204, 7-22-2002]

**1.20.2.205 STATE REQUIRED DISTRICT TESTING RECORDS, COPIES**

- A. **Program:** instruction records
- B. **Maintenance System:** [entity preference]
- C. **Description:** include testing results and type of testing done for each student.
- D. **Retention:** two years after close of school year

[12-30-98; 1.20.2.205 NMAC - Rn, 1 NMAC 3.2.95.70.205, 7-22-2002]

[Note: original copy of test results forwarded to NM department of education.]

**1.20.2.206 RECORDS OF HYPODERMIC SYRINGES AND NEEDLES ACQUIRED FOR EDUCATIONAL USE**

- A. **Program:** instruction records
- B. **Maintenance System:** [entity preference]
- C. **Description:** none
- D. **Retention:**

(1) **Certificate of need for educational use:** six years after certificate expires

(2) **Other records, including records of purchase, inventory, destruction, loss or theft:** six years after date created

[12-30-98; 1.20.2.206 NMAC - Rn, 1 NMAC 3.2.95.70.206, 7-22-2002]

**1.20.2.207 - 300 [RESERVED]**

**1.20.2.301 ACCESSION RECORDS**

- A. **Program:** library records
- B. **Maintenance System:** [entity preference]
- C. **Description:** records concerning the acquisition of library monographs, films, photographs, collections, etc. Record may show accession number, author, title, publisher, date of publication, cost of acquisition, etc.

**D. Retention:** permanent  
[12-30-98; 1.20.2.301 NMAC - Rn, 1 NMAC 3.2.95.70.301, 7-22-2002]

**1.20.2.302 CATALOG OF HOLDINGS**

- A. Program:** library records
- B. Maintenance System:** [entity preference]
- C. Description:** none
- D. Retention:**

- (1) Manuscript or printed catalog:** permanent
  - (2) Continuously updated catalog:** until superseded by new catalog

[12-30-98; 1.20.2.302 NMAC - Rn, 1 NMAC 3.2.95.70.302, 7-22-2002]

**1.20.2.303 BORROWER FILE**

- A. Program:** library records
- B. Maintenance System:** [entity preference]
- C. Description:** records that authorize patrons to borrow library materials (includes interlibrary loans). May show borrower name, borrower number, expiration date, etc.
- D. Retention:** until obsolete
- E. Confidentiality:** confidentiality (Section 18-9-4 NMSA 1978)

[12-30-98; 1.20.2.303 NMAC - Rn, 1 NMAC 3.2.95.70.303, 7-22-2002]

**1.20.2.304 BORROWING OR LOANING RECORDS**

- A. Program:** library records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning the borrowing and loaning of library materials (includes interlibrary materials).
- D. Retention:** until all borrowing or loaning transactions completed
- E. Confidentiality:** confidentiality (Section 18-9-4 NMSA 1978)

[12-30-98; 1.20.2.304 NMAC - Rn, 1 NMAC 3.2.95.70.304, 7-22-2002]

**1.20.2.305 PATRONS REGISTRATION FOR USE OF SPECIAL LIBRARY MATERIALS**

- A. Program:** library records
- B. Maintenance System:** [entity preference]
- C. Description:** Records concerning the use of rare, valuable, or other restricted library materials. Records may show patron name, patron address, patron signature, etc.
- D. Retention:** five years after date materials used
- E. Confidentiality:** confidentiality (Section 18-9-4 NMSA 1978)

[12-30-98; 1.20.2.305 NMAC - Rn, 1 NMAC 3.2.95.70.305, 7-22-2002]

**1.20.2.306 SELECTION RECORDS**

- A. Program:** library records
- B. Maintenance System:** [entity preference]
- C. Description:** records documenting the selection of books and other library materials (monographs, periodicals, films, etc.).
- D. Retention:** one year after date created

[12-30-98; 1.20.2.306 NMAC - Rn, 1 NMAC 3.2.95.70.306, 7-22-2002]

**1.20.2.307 CENSORSHIP OR COMPLAINT FILES**

- A. Program:** library records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning library material censorship and complaints. File may include evaluations by staff, patrons complaints, final decision documentation, etc.
- D. Retention:** five years after date of last entry

[12-30-98; 1.20.2.307 NMAC - Rn, 1 NMAC 3.2.95.70.307, 7-22-2002]

**1.20.2.308 GIFT DONORS FILE**

- A. **Program:** library records
- B. **Maintenance System:** [entity preference]
- C. **Description:** records concerning the donation of publications and manuscripts to the school

library.

- D. **Retention:** five years after date created

[12-30-98; 1.20.2.308 NMAC - Rn, 1 NMAC 3.2.95.70.308, 7-22-2002]

[Note: comply with applicable provisions of legal agreement regarding confidentiality of records concerning each gift.]

#### 1.20.2.309 - 400 [RESERVED]

#### 1.20.2.401 OFFENSE OR INCIDENT REPORTS

- A. **Program:** school security records
- B. **Maintenance System:** [entity preference]
- C. **Description:** shows offenders name, offender information, time and location of occurrence, information on incident, reporting witness name, name of investigating officer, narrative, etc.
- D. **Retention:** five years after date of occurrence
- E. **Confidentiality:** confidentiality (20 USCA 1232g)

[12-30-98; 1.20.2.401 NMAC - Rn, 1 NMAC 3.2.95.70.401, 7-22-2002]

[Note one: includes bomb threat reports. Note two: confidentiality. Records of a law enforcement unit of an educational agency institution are confidential only if education records maintained by the agency or institution are not disclosed to the unit and the law enforcement records are: maintained separately from education records; maintained solely for law enforcement purposes; and disclosed only to law enforcement officials of the same jurisdiction. (20 USCA 1232g).]

#### 1.20.2.402 RADIO LOGS

- A. **Program:** school security records
- B. **Maintenance System:** [entity preference]
- C. **Description:** shows unit number, time and date of call, location of call, nature of call, etc.
- D. **Retention:** one year after end of school year

[12-30-98; 1.20.2.402 NMAC - Rn, 1 NMAC 3.2.95.70.402, 7-22-2002]

#### 1.20.2.403 BUILDING ENTRANCE LOG

- A. **Program:** school security records
- B. **Maintenance System:** [entity preference]
- C. **Description:** shows school, building, employee identification, time in, time out, time alarm reset, etc.
- D. **Retention:** one year after end of school year

[12-30-98; 1.20.2.403 NMAC - Rn, 1 NMAC 3.2.95.70.403, 7-22-2002]

#### 1.20.2.404 ALARM DATA RECORDS

- A. **Program:** school security records
- B. **Maintenance System:** [entity preference]
- C. **Description:** shows date and time of alarm, alarm number, etc.
- D. **Retention:** one year after end of school year

[12-30-98; 1.20.2.404 NMAC - Rn, 1 NMAC 3.2.95.70.404, 7-22-2002]

#### 1.20.2.405 DISPATCH RECORDS

- A. **Program:** school security records
- B. **Maintenance System:** [entity preference]
- C. **Description:** records concerning the dispatch of campus security or police. Record may show offense or incident reported, complainants name, place of occurrence, address, time complaint received, dispatchers name, name of officer dispatched, etc.

- D. **Retention:** 18 months from date of call

[12-30-98; 1.20.2.405 NMAC - Rn, 1 NMAC 3.2.95.70.405, 7-22-2002]



**1.20.2.406 PARKING ASSIGNMENTS FILE**

- A. Program:** school security records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning staff parking assignments.
- D. Retention:** until superseded or obsolete

[12-30-98; 1.20.2.406 NMAC - Rn, 1 NMAC 3.2.95.70.406, 7-22-2002]

**1.20.2.407 VEHICLE ACCIDENT REPORT FILE**

- A. Program:** school security records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning each vehicle accident reported on campus. File may include medical records, offense or incident reports, affidavits, photographs, diagrams, related documentation, correspondence, memoranda, etc.

- D. Retention:**
  - (1) **Fatal accidents:** 25 years after date of accident
  - (2) **Non-fatal accidents:** 10 years after date of accident
- E. Confidentiality:** confidentiality (Sections 66-7-213, 66-7-215 and 14-6-1 NMSA 1978 and 20

USCA 1232g)

[12-30-98; 1.20.2.407 NMAC - Rn, 1 NMAC 3.2.95.70.407, 7-22-2002]

**1.20.2.408 VEHICLE REGISTRATION FILE**

- A. Program:** school security records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning the registration of vehicles and bicycles on campus.
- D. Retention:** one year after date file becomes obsolete

[12-30-98; 1.20.2.408 NMAC - Rn, 1 NMAC 3.2.95.70.408, 7-22-2002]

[Note: file include temporary registrations of vehicles.]

**1.20.2.409 WRECKER LOG**

- A. Program:** school security records
- B. Maintenance System:** [entity preference]
- C. Description:** record of vehicles towed away from campus. Record may show date and time, name of wrecking company, operator, make of vehicle, license number, owner, location, reason for towing vehicle, etc.

- D. Retention:** one year after close of fiscal year in which created

[12-30-98; 1.20.2.409 NMAC - Rn, 1 NMAC 3.2.95.70.409, 7-22-2002]

**1.20.2.410 - 500 [RESERVED]**

**1.20.2.501 LEGAL CASE FILE**

- A. Program:** legal records
- B. Maintenance System:** [entity preference]
- C. Description:** may contain complaints, court orders, motions, pleadings, notes, briefs, releases, investigative reports investigator activity logs, transcripts, closing sheets, correspondence, memoranda, etc.
- D. Retention:** 10 years after case closed or until any minor involved attains age 21, whichever is longer

- E. Confidentiality:** confidentiality (20 USCA 1232g, Section 38-6-6.B NMSA 1978, and common law principle of client-attorney privilege)

[12-30-98; 1.20.2.501 NMAC - Rn, 1 NMAC 3.2.95.70.501, 7-22-2002]

[Note: complaints, pleadings, and court orders are documents of public record.]

**1.20.2.502 LEGAL BRIEF FILE (BRIEFBANK)**

- A. Program:** legal records
- B. Maintenance System:** [entity preference]
- C. Description:** contains duplicate copies of legal briefs from legal case file.
- D. Retention:** until reference value ends

**E. Confidentiality:** confidentiality (20 USCA 1232g, Section 38-6-6.B NMSA 1978, and common law principle of client-attorney privilege)  
[12-30-98; 1.20.2.502 NMAC - Rn, 1 NMAC 3.2.95.70.502, 7-22-2002]  
[Note: legal briefs, once filed, are items of public record.]

**1.20.2.503 LEGAL CASE LOG**

- A. Program:** legal records
  - B. Maintenance System:** [entity preference]
  - C. Description:** a chronological listing of cases.
  - D. Retention:** 10 years after all cases listed are closed
- [12-30-98; 1.20.2.503 NMAC - Rn, 1 NMAC 3.2.95.70.503, 7-22-2002]

**1.20.2.504 LEGAL CASE INDEX**

- A. Program:** legal records
  - B. Maintenance System:** [entity preference]
  - C. Description:** includes notations on activities related to case indexed.
  - D. Retention:** 10 years after all cases listed are closed
- [12-30-98; 1.20.2.504 NMAC - Rn, 1 NMAC 3.2.95.70.504, 7-22-2002]

**1.20.2.505 LEGAL OPINIONS AND REQUESTS FOR OPINION FILE**

- A. Program:** legal records
  - B. Maintenance System:** [entity preference]
  - C. Description:** records requesting legal office to render or issue an opinion. May contain request, opinion, relating documentation, correspondence, memoranda, etc.
  - D. Retention:**
    - (1) **Issued (entity issuing opinion):** permanent
    - (2) **Requested (entity requesting opinion):** until purpose is served
  - E. Confidentiality:** these records are confidential under the attorney-client privilege provisions
- [12-30-98; 1.20.2.505 NMAC - Rn, 1 NMAC 3.2.95.70.505, 7-22-2002]  
[Note: matters of legal opinion rendered subject to attorney-client privilege will be confidential until such time as the privilege is waived.]

**1.20.2.506 SUBJECT FILE**

- A. Program:** legal records
  - B. Maintenance System:** [entity preference]
  - C. Description:** records assembled and kept for reference purposes.
  - D. Retention:** until reference value ends
- [12-30-98; 1.20.2.506 NMAC - Rn, 1 NMAC 3.2.95.70.506, 7-22-2002]

**1.20.2.507 - 600 [RESERVED]**

**1.20.2.601 PROCLAMATION, COPY**

- A. Program:** school district central office, election records, except as otherwise provided in the School Election Law [Sections 1-22-1 to 1-22-19 NMSA 1978], the county clerk shall administer and conduct school district elections pursuant to the provisions of the Election Code for the conduct of general elections. (Section 1-22-14 NMSA 1978)
  - B. Maintenance System:** [entity preference]
  - C. Description:** shows date when election will be held, positions on board to be filled, date on which declarations of candidacy are to be filed, date on which declarations of intent to be a write-in candidate are to be filed, questions to be submitted to the voters, precincts in each county in which the election is to be held, location of each polling place, hours each polling place will be open, date and time of the closing of the registration books by the county clerk of record, etc.
  - D. Retention:** none
- [12-30-98; 1.20.2.601 NMAC - Rn, 1 NMAC 3.2.95.70.601, 7-22-2002]  
[Note: proclamation filed with county clerk of record. No retention on copies of proclamations that may be held by school district.]

**1.20.2.602 REFERENDUM FILE**

**A. Program:** school district central office, election records, except as otherwise provided in the School Election Law [Sections 1-22-1 to 1-22-19 NMSA 1978], the county clerk shall administer and conduct school district elections pursuant to the provisions of the Election Code for the conduct of general elections. (Section 1-22-14 NMSA 1978)

**B. Maintenance System:** [entity preference]

**C. Description:** records covering any question, recall, or special election, including but not limited to actual petitions, records of signature verification, and correspondence.

**D. Retention:** five years after date of last entry  
[12-30-98; 1.20.2.602 NMAC - Rn, 1 NMAC 3.2.95.70.602, 7-22-2002]

**1.20.2.603 CERTIFICATE OF CANVASS**

**A. Program:** school district central office, election records, except as otherwise provided in the School Election Law [Sections 1-22-1 to 1-22-19 NMSA 1978], the county clerk shall administer and conduct school district elections pursuant to the provisions of the Election Code for the conduct of general elections. (Section 1-22-14 NMSA 1978)

**B. Maintenance System:** [entity preference]

**C. Description:** canvass of the results of school board elections.

**D. Retention:** three years after election date  
[12-30-98; 1.20.2.603 NMAC - Rn, 1 NMAC 3.2.95.70.603, 7-22-2002]

[Note: the certificate of results of the canvass of the election shall be thirty days after the election or immediately after any contest has been settled by the court be placed on file as a permanent record in the state records center (Section 1-22-17 NMSA 1978).]

**1.20.2.604 - 700 [RESERVED]**

**1.20.2.701 BOND ISSUE PREPARATION FILE**

**A. Program:** business office records, for retention of financial records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL FINANCIAL RECORDS OF ALL STATE AGENCIES, INTERPRETATION OF 1.15.5 NMAC

**B. Maintenance System:** [entity preference]

**C. Description:** records relating to bond attorneys, preparation of the prospectus, prospectus distribution to bond buyers, bond printing, list of prospective buyers, bond printing bids, buyers, proof of publication of notice of estoppel, debt-contracting power statement, etc.

**D. Retention:** six years after bond issue retired  
[12-30-98; 1.20.2.701 NMAC - Rn, 1 NMAC 3.2.95.70.701, 7-22-2002]

**1.20.2.702 BONDS, NOTES, INTEREST COUPONS, CERTIFICATES OF INDEBTEDNESS, OR SECURITIES**

**A. Program:** business office records, for retention of financial records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL FINANCIAL RECORDS OF ALL STATE AGENCIES, INTERPRETATION OF 1.15.5 NMAC

**B. Maintenance System:** [entity preference]

**C. Description:** record of debts incurred by the institution.

**D. Retention:**

(1) **When paying agent is a bank, savings and loan association, or other third party:** until paid and certificate of destruction has been prepared (Section 6-10-62 NMSA 1978)

(2) **When paying agent is the debtor agency (i.e., school district):** two years following payment and certificate of destruction has been prepared (Section 6-10-62 NMSA 1978)

[12-30-98; 1.20.2.702 NMAC - Rn, 1 NMAC 3.2.95.70.702, 7-22-2002]

**1.20.2.703 BOND OR NOTE ISSUE AND CANCELLATION REGISTER**

**A. Program:** business office records, for retention of financial records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL FINANCIAL RECORDS OF ALL STATE AGENCIES, INTERPRETATION OF 1.15.5 NMAC

- B. Maintenance System:** [entity preference]
- C. Description:** shows bond or note issue number, amount of issue, date bond or note canceled, coupon number, payment information, etc.
- D. Retention:** permanent  
[12-30-98; 1.20.2.703 NMAC - Rn, 1 NMAC 3.2.95.70.703, 7-22-2002]

#### **1.20.2.704 CERTIFICATE OF DESTRUCTION**

- A. Program:** business office records, for retention of financial records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL FINANCIAL RECORDS OF ALL STATE AGENCIES, INTERPRETATION OF 1.15.5 NMAC
- B. Maintenance System:** [entity preference]
- C. Description:** shows the number and maturity of the bond, or note, or certificate, or coupon, the date paid, any other information required by the debtor agency.
- D. Retention:** six years after date created (Section 6-10-62 NMSA1978)  
[12-30-98; 1.20.2.704 NMAC - Rn, 1 NMAC 3.2.95.70.704, 7-22-2002]

#### **1.20.2.705 FINANCIAL REPORTS RECEIVED FROM STATE AGENCIES**

- A. Program:** business office records, for retention of financial records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL FINANCIAL RECORDS OF ALL STATE AGENCIES, INTERPRETATION OF 1.15.5 NMAC
- B. Maintenance System:** [entity preference]
- C. Description:** reports include but are not limited to daily funds reports, daily cash reports, statement of monthly balances, recapitulation of disbursements, etc.
- D. Retention:** three years after close of fiscal year in which created  
[12-30-98; 1.20.2.705 NMAC - Rn, 1 NMAC 3.2.95.70.705, 7-22-2002]

#### **1.20.2.706 FEDERAL GRANT FILES**

- A. Program:** business office records, for retention of financial records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL FINANCIAL RECORDS OF ALL STATE AGENCIES, INTERPRETATION OF 1.15.5 NMAC
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning federal grant monies. Files include application for grant, notification of award, copies of expenditure reports, grant guidelines, correspondence, etc.
- D. Retention:** six years after termination of grant or five after submission final expenditure report, whichever is longer  
[12-30-98; 1.20.2.706 NMAC - Rn, 1 NMAC 3.2.95.70.706, 7-22-2002]  
[Note: retention period for subgrants is five years after state (grantor) submits final expenditure report.]

#### **1.20.2.707- 720 [RESERVED]**

#### **1.20.2.721 FOOD MANAGEMENT AND CHILD NUTRITION RECORDS**

- A. Program:** food management and child nutrition records
- B. Maintenance System:** [entity preference]
- C. Description:** records include program participation agreements, amendments, meal counts, annual cafeteria reports, special milk and lunch program reports, cost distribution reports, daily lunch reports, public welfare commodity form Number 1653A, etc.
- D. Retention:** five years after submission of final expenditure report  
[12-30-98; 1.20.2.721 NMAC - Rn, 1 NMAC 3.2.95.70.721, 7-22-2002]

#### **1.20.2.722- 750 [RESERVED]**

#### **1.20.2.751 AFFIRMATIVE ACTION OR EQUAL EMPLOYMENT OPPORTUNITY FILE**

- A. Program:** personnel records, for retention of personnel records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL PERSONNEL RECORDS, INTERPRETATION OF 1.15.7 NMAC
- B. Maintenance System:** [entity preference]

**C. Description:** records concerning school districts affirmative action or equal opportunity programs. File may include regulations and guidelines, policies, reports, studies, correspondence, and related records.

**D. Retention:**

- (1) **Annual plan:** three years after date issued 1.15.7.116 NMAC
- (2) **Regulations, policies, guidelines, reference materials:** until obsolete or superseded
- (3) **Grievance or complaint files:** one year after date case closed 1.15.7.118 NMAC
- (4) **Compliance reviews:** five years after date created
- (5) **Remaining records:** two years after date created

**E. Confidentiality:** Paragraphs 3 and 5 of Subsection D of 1.20.2.751 NMAC records have confidentiality (Section 10-15-1 NMSA 1978)  
[12-30-98; 1.20.2.751 NMAC - Rn, 1 NMAC 3.2.95.70.751, 7-22-2002]

**1.20.2.752 EDUCATIONAL RETIREMENT BOARD FILES**

**A. Program:** personnel records, for retention of personnel records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL PERSONNEL RECORDS, INTERPRETATION OF 1.15.7 NMAC

**B. Maintenance System:** [entity preference]

**C. Description:** records concerning the earnings and contributions of school district employees to educational retirement board.

**D. Retention:**

- (1) **Records created prior to July 1, 1957:** 55 years after employee terminated or retired
- (2) **Records created as of July 1, 1957:** three years after employee terminated or retired

[12-30-98; 1.20.2.752 NMAC - Rn, 1 NMAC 3.2.95.70.752, 7-22-2002]

**1.20.2.753 STUDENT EMPLOYEE FILES**

**A. Program:** personnel records, for retention of personnel records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL PERSONNEL RECORDS, INTERPRETATION OF 1.15.7 NMAC

**B. Maintenance System:** [entity preference]

**C. Description:** records concerning part-time student employees.

**D. Retention:** six years after termination date

[12-30-98; 1.20.2.753 NMAC - Rn, 1 NMAC 3.2.95.70.753, 7-22-2002]

**1.20.2.754 SOCIAL SECURITY FILES**

**A. Program:** personnel records, for retention of personnel records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL PERSONNEL RECORDS, INTERPRETATION OF 1.15.7 NMAC

**B. Maintenance System:** [entity preference]

**C. Description:** records concerning employees earnings and deductions under the social security retirement plan.

**D. Retention:** five years after close of fiscal year in which created

[12-30-98; 1.20.2.754 NMAC - Rn, 1 NMAC 3.2.95.70.754, 7-22-2002]

**1.20.2.755 FEDERAL AND STATE INCOME TAX WITHHOLDING FILES**

**A. Program:** personnel records, for retention of personnel records, refer to RECORDS RETENTION AND DISPOSITION SCHEDULE FOR GENERAL PERSONNEL RECORDS, INTERPRETATION OF 1.15.7 NMAC

**B. Maintenance System:** [entity preference]

**C. Description:** records concerning employees earnings and federal and state income tax contributions.

**D. Retention:** five years after close of fiscal year in which created

[12-30-98; 1.20.2.755 NMAC - Rn, 1 NMAC 3.2.95.70.755, 7-22-2002]

**1.20.2.756- 800 [RESERVED]**

**1.20.2.801 INSURANCE POLICY FILE**

- A. Program:** risk management records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning insurance coverage of school district property (buildings and contents, equipment, automobiles, etc.).
- D. Retention:**
  - (1) **Insurance policy:** 10 years after expiration of policy, provided no claims or suits pending
  - (2) **Claim files:** three years after case closed
- E. Confidentiality:** Paragraph 2 of Subsection D of 1.20.2.801 NMAC records with claim files containing health information are confidential. (Section 14-6-1 NMSA 1978)  
[12-30-98; 1.20.2.801 NMAC - Rn, 1 NMAC 3.2.95.70.801, 7-22-2002]

**1.20.2.802 GROUP INSURANCE POLICY FILE**

- A. Program:** risk management records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning insurance coverage of school district employees (health, life, accident, and long term disability)
- D. Retention:**
  - (1) **Group insurance policy:** 10 years after expiration of policy, provided no claim or suits pending
  - (2) **Individual employee policy holders records (waiver and enrollment forms applicable to group insurance in effect):** three years after employee terminated or retired, or three years after termination of effective period
  - (3) **Claim files (copies):** until information value ends
- E. Confidentiality:** Paragraph 3 of Subsection D of 1.20.2.802 NMAC records with claim files containing health information are confidential. (Section 14-6-1 NMSA 1978)  
[12-30-98; 1.20.2.802 NMAC - Rn, 1 NMAC 3.2.95.70.802, 7-22-2002]

**1.20.2.803 LIABILITY CERTIFICATES OF COVERAGE FILE**

- A. Program:** risk management records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning insurance coverage of school district liability.
- D. Retention:**
  - (1) **Certificate (Policy):** 10 years after expiration of policy, provided no claims or suits pending
  - (2) **Claim files:** three years after case closed
- E. Confidentiality:** Paragraph 2 of Subsection D of 1.20.2.803 NMAC records with claim files containing health information are confidential. (Section 14-6-1 NMSA 1978)  
[12-30-98; 1.20.2.803 NMAC - Rn, 1 NMAC 3.2.95.70.803, 7-22-2002]

**1.20.2.804 SURETY BOND FILE**

- A. Program:** risk management records
  - B. Maintenance System:** [entity preference]
  - C. Description:** records concerning surety bond coverage of school district employees and persons acting on behalf of or in service to the school district in any official capacity.
  - D. Retention:**
    - (1) **Certificate (policy):** 10 years after expiration of policy, provided no claims or suits pending
    - (2) **Claim files:** three years after case closed
- [12-30-98; 1.20.2.804 NMAC - Rn, 1 NMAC 3.2.95.70.804, 7-22-2002]

**1.20.2.805 WORKERS COMPENSATION FILE**

- A. Program:** risk management records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning workers compensation claims against school district. File may include legal opinions and briefs, court documents, transcripts, affidavits, photographs, findings, recommendations, correspondence, related records, etc.
- D. Retention:**
  - (1) **Policy:** 10 years after expiration of policy provided no claim or suits pending

(2) **Claim files:** three years after case closed  
E. **Confidentiality:** Paragraph 2 of Subsection D of 1.20.2.805 NMAC records with claim files containing health information are confidential. (Section 14-6-1 NMSA 1978)  
[12-30-98; 1.20.2.805 NMAC - Rn, 1 NMAC 3.2.95.70.805, 7-22-2002]

**1.20.2.806 TITLE INSURANCE POLICY**

A. **Program:** risk management records  
B. **Maintenance System:** [entity preference]  
C. **Description:** records concerning the insurance coverage of titles of school district owned property.

D. **Retention:**

(1) **Policy:** until property sold or disposed of, provided no claims or suits pending  
(2) **Claim files:** three years after case closed  
[12-30-98; 1.20.2.806 NMAC - Rn, 1 NMAC 3.2.95.70.806, 7-22-2002]

**1.20.2.807 INSURANCE APPRAISAL OR SURVEY FILE**

A. **Program:** risk management records  
B. **Maintenance System:** [entity preference]  
C. **Description:** records concerning insurance appraisal and or surveys.  
D. **Retention:** until informational value ends  
[12-30-98; 1.20.2.807 NMAC - Rn, 1 NMAC 3.2.95.70.807, 7-22-2002]

**1.20.2.808- 850 [RESERVED]**

**1.20.2.851 TRANSPORTATION ROUTING REPORT**

A. **Program:** transportation records  
B. **Maintenance System:** [entity preference]  
C. **Description:** report that provides information for each trip by each bus, including but not limited to mileage and the number and type of students transported.  
D. **Retention:** six years after end of school year  
[12-30-98; 1.20.2.851 NMAC - Rn, 1 NMAC 3.2.95.70.851, 7-22-2002]

**1.20.2.852 SCHOOL BUS DRIVER QUALIFICATION FILE**

A. **Program:** transportation records  
B. **Maintenance System:** [entity preference]  
C. **Description:** records concerning but not limited to employment application, physical examination information, driving examination, training records, approval of driver, and driver training certificates.  
D. **Retention:** three years after termination of employment  
[12-30-98; 1.20.2.852 NMAC - Rn, 1 NMAC 3.2.95.70.852, 7-22-2002]

**1.20.2.853 SCHOOL BUS PURCHASE FILE**

A. **Program:** transportation records  
B. **Maintenance System:** [entity preference]  
C. **Description:** none  
D. **Retention:** one year after disposition of bus  
[12-30-98; 1.20.2.853 NMAC - Rn, 1 NMAC 3.2.95.70.853, 7-22-2002]

**1.20.2.854 SCHOOL BUS ROUTE SCHEDULE**

A. **Program:** transportation records  
B. **Maintenance System:** [entity preference]  
C. **Description:** school bus route schedule or diagram, including locations and times of stops.  
D. **Retention:** six years after superseded or obsolete  
[12-30-98; 1.20.2.854 NMAC - Rn, 1 NMAC 3.2.95.70.854, 7-22-2002]

**1.20.2.855 SCHOOL BUS RIDERSHIP LIST**

A. **Program:** transportation records

- B. Maintenance System:** [entity preference]
  - C. Description:** school bus ridership list or pupil transportation eligibility record for common carriers and contract yellow buses, including names of students for each route.
  - D. Retention:** six years after end of school year
  - E. Confidentiality:** confidentiality (20 USCA 1232g)
- [12-30-98; 1.20.2.855 NMAC - Rn, 1 NMAC 3.2.95.70.855, 7-22-2002]

**1.20.2.856 DRIVERS DAILY LOG REPORT**

- A. Program:** transportation records
  - B. Maintenance System:** [entity preference]
  - C. Description:** none
  - D. Retention:** six years after end of school year
- [12-30-98; 1.20.2.856 NMAC - Rn, 1 NMAC 3.2.95.70.856, 7-22-2002]

**1.20.2.857- 900 [RESERVED]**

**1.20.2.901 DOCUMENTATION TAPE FILE**

- A. Program:** electronic records
  - B. Maintenance System:** [entity preference]
  - C. Description:** data processing tapes providing documentation for systems described in master tape file. Tapes include data systems specifications, systems tests documentation, file specifications, user guides, output specifications, reports, and information retrieval data.
  - D. Retention:**
    - (1) **Approved systems:** one year after discontinuance of system, provided all magnetic data files are authorized for disposal or transferred to new or alternate system
    - (2) **Disapproved proposed systems:** one year after date of final action
  - E. Confidentiality:** proprietary software is confidential (copyright, protection of rights, 17 USC, Section 102, 106 and 117)
- [12-30-98; 1.20.2.901 NMAC - Rn, 1 NMAC 3.2.95.70.901, 7-22-2002]  
 [Note: system test documentation or approved systems may be destroyed one year after completion of testing.]

**1.20.2.902 MASTER TAPE FILE**

- A. Program:** electronic records
  - B. Maintenance System:** [entity preference]
  - C. Description:** data processing master tape files for information stored in data processing center. master files contain data concerning school fiscal operations and transactions, social organizations, organization memberships, legal investigations and proceedings, studies, supply management, personnel and payroll administration, etc.
  - D. Retention:** erase or dispose of when data contained has met its retention period, provided approval to destroy data has been received from office or department for which data belongs
- [12-30-98; 1.20.2.902 NMAC - Rn, 1 NMAC 3.2.95.70.902, 7-22-2002]

**1.20.2.903 PROCESSING TAPE FILE**

- A. Program:** electronic records
  - B. Maintenance System:** [entity preference]
  - C. Description:** data processing tapes used to administer and operate systems described in master tape file. Tapes include work data, systems testing data, input or output data, valid transaction data, and audit trail data (Tapes are user tapes and are updated constantly.).
  - D. Retention:** after three update cycles (erase and reuse)
- [12-30-98; 1.20.2.903 NMAC - Rn, 1 NMAC 3.2.95.70.903, 7-22-2002]

**1.20.2.904- 920 [RESERVED]**

**1.20.2.921 ACCIDENT REPORT FILE**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]



C. **Description:** reports of accidents involving office or school personnel.

D. **Retention:**

(1) **Files resulting in no action, or, claim, or litigation:** two years after date of accident

(2) **Files resulting in action, or claim, or litigation:** two years after date of accident or until all actions completed or issues resolved

[12-30-98; 1.20.2.921 NMAC - Rn, 1 NMAC 3.2.95.70.921, 7-22-2002]

[Note one: records involving medical claims or litigation shall be transferred to business office to be incorporated into workers compensation file. Note two: records of accidents involving minors shall be retained for time specified, provided minor involved has attained the age of nine.]

#### 1.20.2.922 ACCREDITATION FILE

A. **Program:** miscellaneous school district records

B. **Maintenance System:** [entity preference]

C. **Description:** records concerning school accreditation. File may include guides, reports, questionnaires, related records, correspondence, memoranda, etc.

D. **Retention:** 10 years after accreditation date

[12-30-98; 1.20.2.922 NMAC - Rn, 1 NMAC 3.2.95.70.922, 7-22-2002]

#### 1.20.2.923 ADMINISTRATIVE FILE

A. **Program:** miscellaneous school district records

B. **Maintenance System:** [entity preference]

C. **Description:** records concerning the administration of the office. File may contain reports, directives, correspondence, memoranda, related documentation, etc.

D. **Retention:** five years after close of school year for which created

[12-30-98; 1.20.2.923 NMAC - Rn, 1 NMAC 3.2.95.70.923, 7-22-2002]

#### 1.20.2.924 FACULTY RECRUITMENT FILE

A. **Program:** miscellaneous school district records

B. **Maintenance System:** [entity preference]

C. **Description:** records concerning the recruitment of faculty. File may include policies, forms, resumes, applications, correspondence, reports, interview notes, related records, correspondence, memoranda, etc.

D. **Retention:**

(1) **Applications and records for individuals hired:** transfer to personnel office when individual accepts position

(2) **Applications and records for individuals not hired:** transfer to personnel office when position is filled

(3) **Unsolicited applications:** transfer to personnel office when received

(4) **Policies and forms:** until superseded or obsolete

[12-30-98; 1.20.2.924 NMAC - Rn, 1 NMAC 3.2.95.70.924, 7-22-2002]

[Note: see also search committee files.]

#### 1.20.2.925 SEARCH COMMITTEE FILE

A. **Program:** miscellaneous school district records

B. **Maintenance System:** [entity preference]

C. **Description:** records concerning activities of specially-formed search committees charged with recruiting new or replacement faculty and/or administration members. File may include resumes, applications, correspondence, related records, memoranda, etc.

D. **Retention:**

(1) **Applications and records for individuals hired:** transfer to personnel office when individual accepts position

(2) **Applications and records for individuals no hired:** transfer to personnel office when position is filled

(3) **Unsolicited applications:** transfer to personnel office when received

[12-30-98; 1.20.2.925 NMAC - Rn, 1 NMAC 3.2.95.70.925, 7-22-2002]

[Note: see also faculty recruitment files.]

**1.20.2.926 CALENDAR OF EVENTS FILE**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** reference copies of college or university calendars of events.
- D. Retention:** until superseded or obsolete

[12-30-98; 1.20.2.926 NMAC - Rn, 1 NMAC 3.2.95.70.926, 7-22-2002]

**1.20.2.927 COMMITTEES OR COUNCILS FILES**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning various committees or councils with which office/school deals.

File may contain minutes of meetings, reports, notifications, correspondence, memoranda, related documentation, etc.

- D. Retention:** five years after end of school year in which created

[12-30-98; 1.20.2.927 NMAC - Rn, 1 NMAC 3.2.95.70.927, 7-22-2002]

[Note: for files of committees or councils that are defined in the Open Meetings Act (Section 10-15-1 NMSA 1978), see 1.15.3.113 NMAC]

**1.20.2.928 CONFERENCES OR WORKSHOPS ATTENDED FILE**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** records of conferences or workshops attended by office or school personnel. File may contain agendas, programs, handouts, correspondence, memoranda, related documentation, etc.
- D. Retention:** until reference value ends

[12-30-98; 1.20.2.928 NMAC - Rn, 1 NMAC 3.2.95.70.928, 7-22-2002]

**1.20.2.929 CONFERENCES OR WORKSHOPS CONDUCTED FILE**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** records of conferences or workshops conducted by office or school personnel. File may contain agendas, programs, handouts, reports, training materials, critiques, questionnaires, correspondence, memoranda, related documentation, etc.
- D. Retention:** five years after close of school year in which created

[12-30-98; 1.20.2.929 NMAC - Rn, 1 NMAC 3.2.95.70.929, 7-22-2002]

**1.20.2.930 MAINTENANCE SERVICE FILE**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning maintenance services conducted for office or department. File may include work orders, maintenance reports, related documentation, correspondence, memoranda, etc.
- D. Retention:** three years after date of last entry

[12-30-98; 1.20.2.930 NMAC - Rn, 1 NMAC 3.2.95.70.930, 7-22-2002]

[Note: file does not include the records of maintenance service agreements.]

**1.20.2.931 OVERTIME FILE**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** records of overtime by office or department personnel
- D. Retention:** one year after overtime accrual date (Section 37-1-5 NMSA 1978)

[12-30-98; 1.20.2.931 NMAC - Rn, 1 NMAC 3.2.95.70.931, 7-22-2002]

**1.20.2.932 PARKING ASSIGNMENTS FILE**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning staff parking assignments.
- D. Retention:** until superseded or obsolete

[12-30-98; 1.20.2.932 NMAC - Rn, 1 NMAC 3.2.95.70.932, 7-22-2002]

**1.20.2.933 POLICIES OR PROCEDURES FILE**

- A. **Program:** miscellaneous school district records
- B. **Maintenance System:** [entity preference]
- C. **Description:** reference copies of current policies and procedures.
- D. **Retention:** until superseded or obsolete

[12-30-98; 1.20.2.933 NMAC - Rn, 1 NMAC 3.2.95.70.933, 7-22-2002]

**1.20.2.934 SUPPLIES OR EQUIPMENT FILE**

- A. **Program:** miscellaneous school district records
- B. **Maintenance System:** [entity preference]
- C. **Description:** records concerning supplies and equipment. File may contain accounting records, operating manuals, warranties, inventories, related documentation, correspondence, memoranda, etc.
- D. **Retention:**
  - (1) **Warranties:** six years after termination of warranty
  - (2) **Equipment records, including operating manuals:** until disposition of equipment
  - (3) **Supply records:** until audit report released

[12-30-98; 1.20.2.934 NMAC - Rn, 1 NMAC 3.2.95.70.934, 7-22-2002]

**1.20.2.935 SURPLUS PROPERTY FILE**

- A. **Program:** miscellaneous school district records
- B. **Maintenance System:** [entity preference]
- C. **Description:** records concerning surplus property and its disposition. File may contain inventories, records of disposal, accounting information, related documentation, correspondence, memoranda, etc.
- D. **Retention:** one year after disposition of property or when all audits are released, whichever is longer

[12-30-98; 1.20.2.935 NMAC - Rn, 1 NMAC 3.2.95.70.935, 7-22-2002]

**1.20.2.936 TELEPHONE BILLINGS FILE**

- A. **Program:** miscellaneous school district records
- B. **Maintenance System:** [entity preference]
- C. **Description:** reference copies of monthly office telephone bills.
- D. **Retention:** until audit report released

[12-30-98; 1.20.2.936 NMAC - Rn, 1 NMAC 3.2.95.70.936, 7-22-2002]

**1.20.2.937 WORK ORDERS FILE**

- A. **Program:** miscellaneous school district records
- B. **Maintenance System:** [entity preference]
- C. **Description:** work orders submitted to maintenance office or physical plant.
- D. **Retention:**
  - (1) **Reference copy (copy maintained by entity requesting work):** until work completed
  - (2) **Maintenance office or physical plant copy:** one year after work completed

[12-30-98; 1.20.2.937 NMAC - Rn, 1 NMAC 3.2.95.70.937, 7-22-2002]

**1.20.2.938 MEMBERSHIP REPORT FILE**

- A. **Program:** miscellaneous school district records
- B. **Maintenance System:** [entity preference]
- C. **Description:** copies of reports concerning membership in public schools submitted to the NM department of education pursuant to Section 22-8-13 NMSA 1978. Each local school board shall require each public school in its school district to keep accurate records concerning membership in the public schools. (Section 22-8-13A, NMSA 1978)

- D. **Retention:** permanent (Section 22-8-13C NMSA 1978)

[12-30-98; 1.20.2.938 NMAC - Rn, 1 NMAC 3.2.95.70.938, 7-22-2002]

**1.20.2.939 INSTRUCTIONAL MATERIAL RECORDS**

- A. Program:** miscellaneous school district records
- B. Maintenance System:** [entity preference]
- C. Description:** records concerning instructional material distributed to school district pursuant to the Instructional Material Law (Sections 22-15-1 to 22-13-15-14 NMSA 1978).
- D. Retention:**
- (1) **Accounts or credit allocation records:** six years after close of fiscal year in which created
  - (2) **Sale, or loss, or return records:** six years after close of fiscal year in which sale, or loss, or return occurs
  - (3) **Distribution records. Copies of distribution reports submitted to NM department of public education, state instructional materials division:** five years after close of school year for which materials received
  - (4) **Annual report. Copy of annual report submitted to NM department of public education, state instructional materials division,:** five years after close of school year for which submitted [12-30-98; 1.20.2.939 NMAC - Rn, 1 NMAC 3.2.95.70.939, 7-22-2002]

**HISTORY OF 1.20.2 NMAC:**

**PRE-NMAC REGULATORY FILING HISTORY:** The material in this part was derived from that previously filed with the State Records Center under SRC Rule No. 92-08, Records Retention and Disposition Schedule for New Mexico Public Schools, filed 5/7/93.

**HISTORY OF REPEALED MATERIALS:** [Reserved]