
RECORD AND DATA RETENTION AND DESTRUCTION POLICY

I. PURPOSE AND BACKGROUND

The Board of Retirement may establish efficient records management procedures, which may include, but need not be limited to, maintenance and, when determined by the board to be necessary, disposal of records in its jurisdiction (Gov. Code § 31537). The Records Retention Policy is intended to establish timeframes for the retention and destruction of retirement system records in compliance with legal and regulatory authority.

II. POLICY OBJECTIVES

The objectives of the policy are to ensure that:

- A. MCERA properly maintains its records for the appropriate time period; and
- B. MCERA properly destroys records once the appropriate time period has passed in the appropriate manner; and
- C. MCERA staff is ~~apprised~~aware of the retention periods for the records entrusted to their care.

In this policy, record(s), file(s), and document(s) are used inclusively regardless of physical form or characteristics to include all official MCERA records.

III. COVERED RECORDS

This policy applies to records generated or received in the course of MCERA operations, including original and reproductions, and information created through the use of, and contained in, social media applications, including but not limited to:

- A. Typed, printed or handwritten hardcopy (paper) documents.
- B. Electronic ~~Record-records (i.e., emails, Team chats, and text messages)~~ and documents (i.e., Web, Text, PDF, emails, Team chats, text messages, and other files types/formats)
- C. Photographic, video or digital files and images.
- D. Electronically stored information contained on network services and/or document management systems.
- E. Copies of original records can become a “new” record and become subject to the records retention policy when annotations of a substantive nature are made to a duplicate record giving it added value as a separate record.

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MCERA will take all reasonable steps to securely store and safeguard physical and electronic records to minimize potential improper access, ~~or manipulation~~, or destruction of records.

Any of the above records must relate to the conduct of MCERA's business to be considered a "covered record." Further, documents considered transitory and not intended to be kept permanently may be destroyed after they are no longer needed.

This Policy and the retention schedule applicable to records applies to records on private devices of trustees and staff.

IV. POLICY GUIDELINES

The attached Records Retention Schedule is hereby adopted by the Board of Retirement. For any records not addressed by the Schedule. The minimum retention period of a record must be consistent with applicable laws, orders, rules, or regulations. When no such criteria exist, a retention period will be established based on MCERA's needs and the usefulness of the information. Employees will retain documents consistent with the Schedule and good practice.

Board action is not required for the destruction of documents or electronic records in accordance with the Record Retention Schedule.

Destruction of documents shall be achieved by shredding and recycling. Destruction of electronic medium consists of purging or deleting of files through an electronic document management system or from system servers.

Employees shall dispose of all expired records, as required by the Record Retention Schedule.

~~Drafts and notes are to be disposed of once the document or file they apply to has been finalized, and interagency or intra-agency correspondence may be destroyed if they are no longer needed and there is no legal or policy requirement that they be retained.~~

Employees are required to prevent the disposal of records or information following notification by MCERA management or Counsel that disposal must be suspended for litigation or other reasons.

V. ELECTRONIC AND IMAGED FILES

MCERA may receive or create files in electronic formats that never pass through a paper state.

If the content of an electronic communication (i.e., Teams chat or email) ~~relates to is necessary for, or convenient to,~~ the conduct of MCERA business and was made for the purpose of preserving its informational content, employees are required to store the communication as a PDF file in the relevant file (i.e., member's file) to be kept in accordance with the Records Retention Schedule.

Electronic files are deemed to be an "original" record when stored in a manner consistent with the applicable requirements for Imaged Files below.

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Imaged files or other electronic production of records shall be deemed to be an “original” record of the paper record, and the paper record may be destroyed upon a determination by the Executive Director that:

- A. The records were imaged on a medium that does not permit additions, deletions, or changes to the original document;
- B. The device used to reproduce the document accurately and legibly reproduces the original in all details and does not permit additions, deletions, or changes to the original document; and
- C. No page of any document can be destroyed if any page of the document cannot be reproduced ~~will~~with full legibility.

VI. POLICY REVIEW

This policy is subject to change in the exercise of the Board’s judgement. The Board shall review this policy at least every three years to ensure that it remains relevant and appropriate and consistent with state and federal laws and regulations. In the event of legislative changes to the pertaining sections addressed in this policy, the Board will review the policy as appropriate.

VII. POLICY HISTORY

This policy was adopted by the Board of Retirement on May 18, 2016.

The Board reviewed and amended this policy on September 20, 2023.

The Board reviewed and amended this policy on October 21, 2026.

MCERA RECORDS RETENTION SCHEDULE

Notes:

1. This retention schedule replaces all other retention schedules that were in effect in the past. Therefore, it is possible that some records that this retention schedule places on a permanent retention period were destroyed under prior policies that did not provide for permanent retention.
2. Each broad category of records is ~~in~~ bold and all caps. The descriptions of specific types of records, which appear underneath those broad categories, are non-exhaustive examples.