

218. ELECTRONIC RECORDS RETENTION

SCOPE: This policy applies to all employees of the City of Vancouver, unless otherwise addressed by a current collective bargaining agreement.

POLICY: To better serve our citizens and provide our employees with the best tools to perform their jobs, the City of Vancouver (The City) makes available to our workforce access to one or more forms of electronic media and services, including computers, e-mail, fax machines, external electronic bulletin boards, wire services, online services, intranet, Internet and the World Wide Web. The City encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information about vendors, customers, technology, and new products and services.

The purpose of this policy is also to ensure compliance with state law requiring retention of certain public records, RCW Title 40, Chapter 14, and the Washington State Public Disclosure Act (PDA), RCW Title 42, Chapter 17, it is important that City employees understand and follow the proper record retention policies regarding the various forms of electronic media and services made available for their use, including computers, e-mail, voicemail, fax machines, external electronic bulletin boards, wire services, online services, intranet, Internet and the World Wide Web ("electronic record"). The following guidelines have been established for archiving and storing public records created using the aforementioned electronic media and services. These guidelines are not intended to set forth the specific retention period for various public records. **Employees should consult the City Records Coordinator in Media Services and may also consult the Secretary of State's General Records Retention Schedule for Agencies of Washington State Government by [clicking here](#) for specific document schedules.**

GUIDELINES:

In general, electronic records are subject to retention in the same manner as a paper record. However, as noted below, storage of electronic records through use of backup tapes is not considered a substitute for a viable records management system utilizing storage and categorization of paper records. In addition, electronic data can be corrupted, lost or destroyed in a variety of ways, including defective media (tapes/discs), improper storage/handling of media, damage to hardware, viruses, power fluctuations, inadequate hardware maintenance and corruption of data.

The following categories of electronic records (usually e-mail) are *likely* to be considered public records:

- Correspondence or memoranda related to official public business
- Original reports
- Policy and procedure directives
- Agenda and minutes of meetings
- Documents related to legal or audit issues
- Messages documenting agency actions, decisions, operations and responsibilities
- Documents that initiate, authorize or complete a transaction
- Appointment calendars

See *Local Government Records Retention Schedule*, "Electronic Information — Electronic Mail," GS50-20C.

The following categories of electronic records are *not likely* to be public records:

Information down-loaded from bulletin boards or web sites

Information-only copies of documents that do not related directly to the functional responsibility of the agency or office that receives them

Personal messages and announcements not related to official business

Phone message slips that do not contain public record information

In addition, just as with paper documents, electronic records that are otherwise public records may still be exempt from disclosure. Employees should consult their department's Public Records Coordinator before any claim of exemption or denial of access to records is made. If appropriate, the departmental Public Records

Coordinator may consult with the City's Law Department regarding a claim of an exemption or denial of access to records is made in response to a public records request.

RETENTION OF ELECTRONIC RECORDS

Electronic records that contain significant information relating to the transaction of business by the municipality are public records subject to record retention requirements. In general, therefore, employees should not rely on mere storage of electronic records as compliance with record retention requirements. Instead, employees should *print, retain and store one copy* of all electronic records falling within the definition of a public record. Therefore, the following guidelines should be followed with regard to electronic records that are considered public records:

For electronic records (in particular, e-mail) between City employees:

- The generator (i.e. sender) should print and store a copy of the e-mail.
- The recipient should print and store a copy of the e-mail only if it includes a substantive reply to the original message.
- Once the e-mail has been printed, it may be deleted from the employee's electronic mail and/or computer system if no longer required for work purposes.

For electronic records (in particular, e-mail) between City employees and persons who are not City employees:

- The City employee should print and store copies of *all* e-mail – sent and received – between the employee and the other person.
- Once the e-mail has been printed, it may be deleted from the employee's electronic mail and/or computer system if no longer required for work purposes.

In general, other electronic records (e.g., bulletin board discussions, departmental Intranet postings, databases, etc.) should be printed and stored at the time they are created on the computer as follows:

- For bulletin boards or online discussions groups consisting solely of City employees, the group moderator is responsible printing and storing all postings
- For bulletin boards or online discussion groups originating outside the City, but in which City employees are members or participate, the employee should print and store copies of their postings to the bulletin board or discussion group

For electronic databases and Intranet pages, the primary employee responsible for maintaining the database or Intranet is responsible for determining which portions, if any, of the database or Intranet must be retained as public records.

1. What is included under the term "electronic communications"?

The use of computers in communications. Electronic communications may include the use of electronic mail, the Internet, the City's intranet, File Transfer Protocol (FTP), Internet Relay Chat (IRC), Telnet, computer networks, and online databases.

2. What is an electronic "Bulletin Board System (BBS)"?

A computerized version of the bulletin boards found in stores and other public places, where people can leave messages for one another. BBSs are often run by local computer user groups, and offer software that can be downloaded. Many BBSs have been replaced by web sites.

3. How is a public record defined?

"Public record," as defined in RCW 42.17.020(36), includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

Terminology

Download: To transfer files or data from one computer to another. To download means to receive; to upload means to transmit.

Electronic Media: The hardware, software and network infrastructure used to conduct electronic communications.

Intranet (CityNET): An internal network providing functions similar to the Internet. These may include organization-wide web sites, file transfer capability, IRC (chat) capability and browser-based applications.

The Internet: The Internet is comprised of thousands of interconnected computer networks, reaching millions of people in many different countries.

Online-services: A computer network accessed by modem or Internet connection. Online services generally charge a monthly fee, and offer such services as e-mail, information services, online shopping, news, and games. Examples include: America Online, MSN, and CompuServe.

Upload: To transfer files or data from one computer to another. To download means to receive; to upload means to transmit.