



STATE OF WASHINGTON
LOCAL RECORDS COMMITTEE

Office of the State Auditor • Office of the Attorney General • Office of the State Archivist
PO Box 40238 • Olympia, Washington 98504-0238 • (360) 586-4900

December 18, 2014 – 10:00 a.m.
State Archives Conference Room
1129 Washington St SE, Olympia, WA 98504

MEETING MINUTES

Members Present: Cindy Evans, Chair – State Auditor's Office; Matt Kernutt – Attorney General's Office; Steve Excell – State Archivist.

Staff Present: Russell Wood – State Records Manager; Julie Blecha – Local Government Records Retention Specialist; Leslie Koziara – Electronic Records Consultant; Scott Sackett – Electronic Records Consultant and Brigid Clift – Central Regional Branch Archivist (via PolyCom).

I. ROUTINE ITEMS

A. Call to Order

Cindy Evans called the meeting to order at 10:01 a.m.

B. Adoption of Today's Agenda

Motion to adopt the agenda as presented; Evans; second by Steve Excell.

Resolution: Motion carried.

C. Approval of Minutes for September 25, 2014

Motion to approve the minutes as presented: Matt Kernutt; second by Excell.

Resolution: Motion carried.

II. NEW BUSINESS/ACTION ITEMS

A. School Districts and Educational Service Districts Records Retention Schedule (Version 8.2) – Julie Blecha

In response to school district inquiries seeking detailed clarification of recently-approved records series relating to *employee sexual misconduct* and *employee verbal/physical abuse*, modifications to SD2014-020 and SD2014-021 state that in the event the **accused** dies *before* reaching age 80, the associated records need to be retained for a total of 30 years or 10 years (respectively) **after** the date of the most recent **accusation and completion of investigation** (if any). A variety of *prospective* real-life scenarios has been provided in the updated Summary of Changes. Evans commented that the examples are very helpful.

One additional change was requested yesterday by members the Washington Association of School Business Officials Records Management Committee (WASBO) due to *specific* statutory requirements relating to the identification and treatment of brain trauma/injury in students (RCW 28A.600.190).

Today's proposed draft contains the requested language, "concussion/head injury", which was added as an example of a type of "health care/service" covered by SD2012-071, **Health Care/Services Provided to Students**.

Motion to approve the *School Districts and Educational Service Districts Records Retention Schedule (Version 8.2)* as presented with the addition of "concussion/head injury" added to SD2012-071; Excell, second by Matt Kernutt.

Resolution: Motion carried.

B. Local Government Common Records Retention Schedule (CORE) (Version 3.1) – Blecha

Since CORE was revised in 2012, several sector schedules have been updated, including those for housing authorities and prosecuting attorneys. Version 3.1 includes associated modifications relating to these updates that were noted for inclusion in a future version of CORE, as well as a few "housekeeping" matters (typo corrections, etc.). One new series (GS2014-030) was created in consultation with the State Auditor's Office and covers sensitive authentication data relating to credit card transactions. Members received comments submitted by the City of Spokane Valley and Tacoma Public Utilities (TPU). Discussion ensued.

Motion to approve the *Local Government Common Records Retention Schedule (Version 3.1)* as presented; Evans, second by Matt Kernutt.

Resolution: Motion carried.

III. COMMUNICATIONS

A. 10/15/2014 Email from Kristin Demory, Benton PUD

Via phone conference, Kristin Demory discussed concerns with the Local Records Committee as presented in her email about *utility customer ongoing authorizations for automatic payments*. Because these authorizations are filed/boxed up *by calendar year* - and the agency has no idea how long the agreements are/will be valid (*can range from a month to many years*) – the PUD is having difficulty managing them as contracts/agreements (GS50-01-11, **Contracts and Agreements – General**). The agency has not found a cost-effective solution that is convenient for Benton PUD's customers or easy for the agency. Demory questioned whether these authorizations are even covered by GS50-01-11 since they are not signed by the agency and stated that it would make it a lot easier if authorizations like these could be retained for *6 years after the end of the fiscal year* (rather than termination/expiration of the ongoing authorization).

Kernutt expressed curiosity about the financial institution's retention of authorizations *that allow transfer of funds to a third party* and whether these are legally different than a standard two-party contract. Evans suggested that this record is the "poster child" for scanning and tossing, with the authorization could be linked to the *customer* rather than the *calendar year*. Excell questioned that if the agency destroy the authorizations after 6 years, what authority/evidence would it have for continuing automatic withdrawals *in the seventh year*? Discussion ensued.

Patty Holmquist (TPU) stated that these authorizations are not signed by the agency and *technically* are not contracts as described in GS50-01-11. Evans explained that under law, agreements do not have to be signed to be legal...they *can* be oral agreements or written ones signed by one party, both parties, etc.

Holmquist suggested that every type of contract, agreement and/or authorization could be listed in GS50-01-11 for clarity. Evans advised that it would be too unwieldy to list each and every possible type of legal contract/agreement used by local government agencies, but that perhaps a guidance document could be published (and linked to the retention schedule) listing additional examples of agreements. Further discussion. Holmquist and Demory will provide WSA staff a list any other *types* of

contracts/agreements that could be included in GS50-01-11, or that are exceptions (needing to be) covered elsewhere.

Russell Wood reminded everyone that all resources for advice and records retention schedules for local and state government agencies are the four Records Management staff members currently attending this meeting. There are far more things to accomplish than the team has the capacity to do, but appreciates it when agencies step up and help with the process. Excell added that staff rely on input from the various sectors and appreciate when information is gathered among the associations and communicated to WSA.

IV. WASHINGTON STATE ARCHIVES UPDATES

A. Revision of Records Retention Schedules – Blecha

CORE *Human Resource Management* and *Legal Affairs* are the first major revision projects planned for 2015. Firefighter training will also be reviewed because WSA has been informed that training documentation may need to be retained longer than required by GS2011-180 (6 years after training provided). The County Coroners/Medical Examiners schedule is in progress, after which the County Assessors, County Treasurers, and Public Utilities (sewer/water, solid waste and telecommunications) will be addressed.

B. Announcements from the State Archivist – Steve Excell

Apologies for the construction due to HVAC work in the building; removal of ceiling grids and ductwork has been disruptive, but the project should be completed soon. Still unsure how WSA's space issue will be treated this Legislative session; expansion space is still needed, and efforts to procure the warehouse space previously used by the state printer's office were unsuccessful. At some point, it may be necessary to propose a moratorium on taking in records at the Records Center and the Archives.

V. NEXT MEETING

Blecha presented several 2015 Local Records Committee (LRC) meeting schedule options. Wood stated that because it's difficult to time revision projects to align with LRC meeting dates, meetings are being postponed. Do members prefer to stick with the published schedule *whether or not there are action items* is the preference to postpone meetings until a retention schedule is ready for approval submission? Evans said that the LRC is required to meet quarterly, and that if meeting dates change from the calendar provided to the Code Reviser, appropriate notification is necessary. Members agreed that they would prefer to modify the schedule to encompass action items, as long as the quarterly meeting requirement is satisfied.

Members agreed that the 2015 meeting schedule submitted to the Office of the Code Reviser will list the following dates: January 29, April 30, July 30, and October 29, 2015.

ADJOURNMENT: 10:50 am

CERTIFICATION OF MEETING MINUTES OF THE LOCAL RECORDS COMMITTEE:

I, Cindy Evans, Chair of Local Records Committee, certify that the above is a true and correct transcript of the minutes of a public meeting of the Local Records Committee of the State of Washington held in the State Archives Building conference room on December 18, 2014, and that the public meeting was duly called and held in all respects in accordance with the laws of the State of Washington, and that a quorum was present.



Chair Signature



Date