

Records Management Procedure for Managing Electronic Records

The purpose of this procedure is to provide all offices, schools, departments and facilities of the Bellevue School District with guidance on responsible management of District electronic records that align and support the District Records Management policies. This Procedure, in accordance with other established District policies and procedures, applies to all electronic records, regardless of their digital form, created or received by an office, school, department or facility of the District in transaction of its business or in pursuance of its legal obligations. The Director of Technology creates and establishes the technological procedure and solutions necessary for the retention and maintenance of all electronic records.

Definitions:

- A. **Electronic record.** A record containing machine-readable, as opposed to human-readable, information.
- B. **Metadata.** “Data about the data”. Descriptive information that facilitates management of, and access to, the objects being described.
- C. **Public Record.** Any paper, correspondence, form, bound volume, film, magnetic record, drawing, other document, regardless of media, that has been created or received by any state or local government agency during the course of public business (RCW 40.14.010 and WAC 434-610-020). This includes information created in machine readable forms by computers and computer-like devices, communications equipment, and video and audio recorders.
- D. **Records Retention Schedule.** A comprehensive list of Records series, provided by the State of Washington, indicating for each series the length of time it is to be maintained, and when such series may be reviewed for archival retention.
- E. **Litigation Hold.** The litigation hold directive overrides any records retention schedule that may have otherwise called for the transfer, disposal or destruction of the relevant documents, until the hold has been cleared by the Superintendent after consultation with the solicitor. Email and computer accounts of separated employees that have been placed on a litigation hold will be maintained by the Director of Technology until the hold is released. No employee who has been notified of a litigation hold may alter or delete an electronic record that falls within the school of that hold. Violation of the hold may subject the individual to disciplinary action, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.
- F. **Archival Records.** Records the State of Washington designates records as having “archival value” based on historical, legal, fiscal, evidential, or informational value. These records must be maintained by the local agency unless and until they are transferred to the state Digital Archives.

Guidelines for Managing All Electronic Records

A digital record is defined as electronic information in any form created or received and maintained by a District office, school, department or facility in transaction of District business and kept as evidence of such activity.

The legal custodian of a record is its originator. If the record is transferred, by agreement or policy, to another person for archival purposes, then that person becomes the legal custodian.

Electronic records, including emails, are governed like paper records under the statutes and regulations that apply to preservation and destruction of public records, regardless of form. See BSD Policies 3231 and 4041, RCW 40.14 and WAC 434-662.

Electronic records shall be retained pursuant to the retention schedules adopted by the records committees of the State of Washington. The District shall maintain chain of custody of the record, including employing sufficient security procedures to prevent additions, modifications, or deletion of a record by unauthorized parties.

Electronic records that the State Archives designates as having “archival value” based on their historical, legal, fiscal, evidential, or informational value shall be maintained by the District unless and until they are transferred to the state Digital Archives.

Litigation Hold

When the District has been given notice that a legal action is either pending or imminent or a governmental investigation will occur, destruction of records shall be suspended immediately.

When an employee leaves the District, the employee’s manager is responsible for designating a new custodian for that employee’s records and ensuring that the records are properly identified and transferred to the appropriate place prior to deletion of the departing employee’s accounts.

The director of technology creates and establishes solutions to insure compliance with the following:

- A. Electronic records are required to remain usable, searchable, retrievable and authentic despite variations and changes in hardware, software and security features. Electronic records must contain sufficient metadata to categorize, search and retrieve the records.
- B. Security backup of active records. A security backup must be compatible with the current system configuration in use by the District.
- C. That if encryption is employed on public records, the District must maintain the means to decrypt the record for the life of the record as designated by the approved required minimum retention period for that record.
- D. Retention of web content in accordance with the approved retention schedules.

Electronic Mail Communications (Email)

Email that is created or received by employees or public officials in connection with official public business is a public record and subject to the Public Records Act (RCW 42.56).

The responsibility for the daily management of electronic mail communications falls on individual employees.

Types of records created using email systems (FERPA, Student, financial etc.) determine the retention period required for the records in each category. Please see the *Washington State Records Retention Manual* for specifications.

Email that is to be saved should be filed in a way that will ensure that the communications are easily retrievable.

Records selected for retention can be stored on-line or near-line in a document management system or record-keeping system. Alternatively, they can be stored off-line on a physical medium. The Director of Technology will provide the solution for central storage and access of email that meets the definition of a public record.

Social Media

Generally, posts are public records and are subject to the approved retention schedules if they relate to transaction of BSD business. If posts are archival they should be transferred to the Washington State Archives.

Voice Mail

Voice mail is usually a non-record, unless preserved in a manner that would meet record criteria, as with other records, such as containing information necessary for the District's business.

Personal Devices

Personal devices used for District business may contain public records. If public records are saved on a personal device, a diligent practice of always putting District records in a separate location on the device should be maintained.

Processing Electronic Records Requests

The same process is used as with all other public records requests. All PRA Requests should be directed to the District Records Management Officer.

The District shall provide reasonably locatable electronic public records in either their original generally commercially available format (such as an Acrobat PDF file) or, if the records are not in a generally commercially available format, the District shall provide them in a reasonably translatable electronic format, if possible. In the rare cases when the requested electronic records are not reasonably locatable, or are not in a generally commercially available format or are not reasonably translatable into one, the District may consider customized access.