

Electronic Records Retention Procedure

Effective	June 1, 2011
Category	Finance and Administration
Approval(s)	Vice Presidents
Steward(s)	Director, Computing and Communications

Purpose

The goal of Evergreen's Electronic Records Procedures is to assist faculty and staff with meeting legal retention requirements related to electronic documents and communications and to provide the procedures for public records requests.

Scope

Each individual college faculty and staff has the responsibility for the proper and legal management of the records in their custody. The College Archivist/Record Manager oversees the process of managing the College's official records through their complete life cycle. Faculty and Staff should contact Records Management for help with identification, retention and destruction of the records in their possession.

In managing electronic records, Evergreen faculty and staff:

- Retain records according to established State Records Retention Schedules.
- Maintain active and inactive records in appropriate storage equipment and locations.
- Preserve records of historical significance.
- Identify and protect vital records.
- Discard records in accordance with academic or business need and the appropriate records retention schedule.

Authority

The Electronic Records Retention Procedures at The Evergreen State College are based on the legal requirements of state and federal laws including but not limited to:

RCW 40.14 (preservation and disposition of public records);

RCW 42.56 (public disclosure)

RCW 40.10 (protection of essential records)

WAC 434.662 (*preservation of electronic public records*)

Family Educational Rights and Privacy Act of 1974 (PL 93-380) (protection of essential records)

Definitions

Public Record – All electronic and paper records, including official records and office files and memoranda, retained by the college with the exception of records held by The Evergreen State College Foundation are public records. As defined by statute: "public records" shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics and including such copies thereof, that have been made by or received by any agency of the State of Washington in connection with the transaction of public business.

Official Record – Electronic documents are an “official record” needing retention when they are created or received in the transaction of public business and retained as evidence of official policies, actions, decisions, transactions, or contain valuable informational content related to college business. If it is determined that a document is an “official record”, the content, transactional information and any attachments associated with the document are considered a part of the “official record”.

Office files and memoranda include such records as correspondence, exhibits, drawings, maps, completed forms, or documents not above defined and classified as official public records; duplicate copies of official public records; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept by the college.

Retention Schedule – Period of time required before destruction of an “official record”. The current schedule is available at [Secretary of State Records Management](#). It is the content of an official record that determines the retention requirements. Retention or disposition of official records must be related to the information they contain or the purpose they serve.

Electronic Records Management Procedures

The Evergreen State College operates a diverse array of information systems that allow for the storage of electronic records.

A. Preservation and Deletion of Official Records

Guided by the definitions above (see RCW 40.14.010), Evergreen faculty and staff determine what record is an “official record” requiring retention and retains the record in accordance with the state’s record retention schedule. When an electronic record has reached the length of term of the schedule, the document holder will delete the document if it no longer has usefulness.

Usually the longest retention period under the state’s general records retention schedule for official records is 6 years. Official records related to L&I, personnel and payroll and police records may have longer retention periods.

B. Preservation and Deletion of Office Files and Memoranda

Records that have been determined by the document holder to be an office file and/or memoranda should only be retained as long as they are useful on shared drive storage, personal computing and/or storage devices. Once no longer useful, office files should be deleted. This includes email records. Client Services at 360-867-6227 can provide guidance for setting up your email folders to purge unnecessary email from the system storage.

Individual faculty should work with the college Archivist to identify and archive important academic and research data needing long term retention.

Litigation Holds

If Evergreen is given notice of a potential law suite or has cause to reasonably believe a law suite will be filed, any member of the college's Senior Staff may ask a litigation hold be placed on all public records (official records; office files; etc). The College Public Records Disclosure Officer will access those records related to a legal hold and make copies for retention and/or ask Computing and Communications to place a system litigation hold on email records.

Public Records Requests

All electronic documents retained by the college with the exception of records held by the college for The Evergreen State College Foundation as provided for through a contract between the college and foundation are public records. All public records may be disclosed under a public records request (excluding that data protected by state and federal law).

All Public Record Requests are routed to the College Public Records Disclosure Officer. Upon receipt of a Public Record Request, the College Public Records Disclosure Officer will:

1. Gather all documents related to a public records request and determine whether any documents or part of a document should be excluded from release based on exceptions as laid out in state and federal law.
2. Copy electronic (including email) and paper records and redact any protected information from otherwise releasable documents.
3. Notify the owner of the intent to release electronic records in response to a pending records request.
4. Provide the document owner(s) with information on the legal processes available to prevent release from occurring.
5. Allow the records owner 2 weeks to contest release of records through court order. Absent a court order, records will be redacted of personal information and released to the requestor.

The College Public Records Disclosure Officer will make all necessary efforts to collect all documents including all email accounts, shared electronic storage,

college owned computing equipment, etc. for documents relating to the public records request.

Voicemail Records Management Procedures

The Evergreen State College voicemail system is not capable of providing for the adequate retention management of voicemail as an official record. As such, no voicemail may be the sole record of the transaction of public business, evidence of official policies, actions, decisions, transactions, or valuable informational content related to the college. Voicemail records may be requested and released under a public record request.