

## **RETENTION OF PUBLIC RECORDS**

Washington law requires the District to retain certain records, including electronic information, to facilitate recordkeeping and inspection by the public. Pursuant to Chapter 40.14 RCW and Title 434 WAC, the District will retain public records for the minimum periods of time required by: (1) the retention schedules issued by the Washington Secretary of State relevant to the District's operations, including the most current editions of the "Local Government Common Records Retention Schedule (CORE)" and the "Public Schools (K-12) Records Retention Schedule"; (2) federal and state statutes and regulations; and contractual agreements, if any. The records retention schedules are available at [www.secstate.wa.gov/archives/gs.aspx](http://www.secstate.wa.gov/archives/gs.aspx).

After the minimum retention period for a record expires, the District will dispose of the record by transfer to the Washington State Archives for destruction as allowed by the retention schedules. Public records must not be destroyed if they are subject to an existing public records request under Chapter 42.56 RCW or to ongoing or reasonably anticipated litigation.

The Superintendent will issue procedures implementing this policy.

### **Electronic Communications**

Under Washington law, electronic communications (e.g., text messages, emails, instant messages, social media, and voicemails) sent or received by District employees in the scope of their job duties are public records of the District, even if the employees use personal electronic devices or accounts to send or receive such communications. Electronic communications that are public records are subject to the same disclosure, retention, destruction, and archival requirements as paper records. When employees use their personal devices or accounts to send or receive electronic communications for purposes of District business, it is difficult to ensure that those records are retained as required by law.

The Superintendent will establish procedures to ensure retention of electronic communications sent or received by employees during the scope of their employment consistent with state law. The Superintendent or designee will also oversee implementation of retention systems for the District's electronic communications, including but not limited to emails and voicemails. Such systems will allow for storage of electronic metadata.

### **Electronic Records**

Electronic computer records prepared, owned, used, or retained by the District also are public records subject to retention and disclosure. Such records may include documents stored on individual computers or other electronic devices or in the "cloud" on third-party computer servers connected via the Internet, such as collaboration sites (e.g., "Google Docs") and file servers.

The District will manage electronic public records according to the same provisions as paper documents as set forth in the records retention schedules. Electronic records will be retained in

electronic format and remain usable, searchable, retrievable, and authentic for the length of the designated retention period.

The Superintendent will establish procedures to ensure retention of electronic communications sent or received by employees during the scope of their employment consistent with state law. The Superintendent or designee will oversee implementation of retention systems for the District's electronic public records that allows for retention of files in native format, including metadata.

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Cross References:      Board Policy 4040      Public Access to District Records  
                                 Board Policy 3231      Student Records

Legal References:      Chapter 40.14 RCW Preservation and Destruction of Public Records  
                                 Title 434 WAC  
                                 Chapter 434-662 WAC Preservation of Electronic Public Records  
                                 Chapter 42.56 RCW Public Records Act