

King County Executive
Randy Revelle
Department of Executive Administration
Lauraine D. Brekke, *Director*

TO: Executive Cabinet

FM: Randy Revelle, King County Executive

RE: Executive Policy/Procedure No. INF-2

1.0 SUBJECT TITLE: Records Management Program

1.1 EFFECTIVE DATE: Five days after signature.

1.2 TYPE OF ACTION: Supercedes Executive Order No. 1070,
June 7, 1971

2.0 PURPOSE:

2.1 To define the responsibilities of the Records Management Program, Records and Elections Division, Department of Executive Administration.

3.0 ORGANIZATIONS AFFECTED:

3.1 All King County Executive Departments

4.0 REFERENCES:

4.1 WAC 414-12-010 provides that all public records produced by County employees in the course of their duties, whether official public records or unofficial office files and memoranda, are property of the County.

4.2 RCW 40.14.070 and RCW 40.20.020 require that both the materials and the process used for microfilming or other photostatic or photographic reproduction of documents be approved either by the state auditor or state archivist.

4.3 Various state and federal laws and regulations require minimum retention periods for certain County records.

- 4.4 King County Charter 920.20.40 provides that the King County Records and Elections Division "shall maintain the County records which should not be destroyed and which are not necessary for the current operation of County government"
- 4.5 WAC 414-24-070 requires that destruction of official County records be accomplished in such a manner as to render them illegible.
- 4.6 RCW 42.17.260 requires that governmental agencies establish procedures for inspection and copying of public records, as that term is defined in RCW 42.17.020(26).

5.0 POLICY:

- 5.1 County offices shall institute technologies, forms, and procedures that promote effective production of records and information.
- 5.2 County records shall be maintained to maximize effective retrieval by employees and timely response to requests from the public at minimum cost.
- 5.3 All records produced by County employees in the course of their duties are public property and shall be turned over intact to successors. They shall be destroyed only after satisfying legal, operational, and historical requirements as defined by the Records Management Program in cooperation with the State Local Records Committee.
- 5.4 County records that are referenced infrequently and that have continuing legal and operational value shall be transferred to the King County Archives and Records Center. Records of continuing historical value shall be transferred to the Archives and Records Center, after satisfying legal and operational retention requirements, to ensure conservation in keeping with professional, archival standards.
- 5.5 Records shall be promptly destroyed by appropriate means after satisfying retention requirements in order to control storage, equipment, and retrieval costs.

6.0 DEFINITIONS:

- 6.1 Records - All recorded information, regardless of media or characteristics, made or received and maintained by an organization or institution in pursuance of its legal obligations or in the transaction of its business.

- 6.2 Records Management - That area of general administrative management concerned with applying cost reduction principles and techniques to achieve economy and efficiency in the creation, use, maintenance, and disposition of records.
- 6.3 Local Records Committee - This Committee has the authority (RCW 40.14.070) to review and approve the disposition of records of agencies of local government (by approving records' retention schedules). The Committee consists of the State Archivist, the Chief Examiner of Municipal Corporations of the State Auditor's Office and a representative appointed by the Attorney General.

7.0 RESPONSIBILITIES:

- 7.1 The Department of Executive Administration, Records and Elections Division, Records Management Program shall be responsible for:
 - 7.1.1 Conducting and coordinating inventories of county records for development and maintenance of records retrieval and retention schedule systems, and for public disclosure purposes.
 - 7.1.2 Developing, implementing, and maintaining a uniform records classification retention schedule, and files procedures system for all county records, and developing more detailed retrieval systems as requested by county offices. The classification and retention schedule shall indicate offices of record and appropriate media.
 - 7.1.3 Reviewing requests submitted to the Purchasing Division for filing equipment. Based on immediate spot check and review, requests will be approved or denied when needs can be met by purging files, transferring materials to the Archives and Records Center, or recycling surplus equipment.
 - 7.1.4 Developing and operating the King County Archives and Records Center for secure and low-cost storage of semi-active and inactive records that must be retained to satisfy legal and operational requirements. The Center shall ensure that records are stored under correct environmental conditions. The Center shall provide pick-up and delivery (from nearest loading dock), of client departments' records, and with departmental concurrence shall destroy records in an appropriate manner, when no longer required. The Center shall monitor departmental filing practices to ensure timely transfer of records to the Center. Records shall remain the property of the ~~transferring~~ departments.

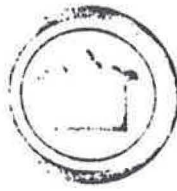
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- 7.1.5 Reviewing all county records that have potential historical value for transfer to the King County Archives and Records Center after expiration of legal and operational retention requirements. Records of continuing historical value shall pass into the custody of the Department of Executive Administration Records and Elections Division. The Archives and Records Center shall ensure appropriate conditions to preserve historical records and shall undertake arrangement, description, and exhibit projects to encourage use by county offices and the public.
- 7.1.6 Managing the coding, indexing, and distribution of Executive Orders and Executive Policies and Procedures.
- 7.1.7 Designing micrographic and other systems of document and image storage for county departments, developing specifications, and approving contract award and acceptance.
- 7.1.8 Conducting office systems and procedures studies as requested by county departments.
- 7.2 The Department of Executive Administration, Purchasing Division shall be responsible for:
 - 7.2.1 Submitting all requests for microfilm, image storage, and filing equipment, supplies and services to the Records and Elections Division, Records Management Program, for approval prior to purchasing.
- 7.3 Department directors, division managers, and manager/administrators shall be responsible for:
 - 7.3.1 Assisting the Records and Elections Division, Records Management Program, in conducting records inventories, implementing files classification and retention schedule systems, and monitoring and improving system effectiveness.
 - 7.3.2 Contacting the Records and Elections Division, Records Management Program (344-3911), for information about record retention requirements. The Records Management Program will research requirements and obtain approval from the State Local Records Committee when necessary.
 - 7.3.3 Transferring semi-active, inactive, and potentially historical records to the King County Archives and Records Center.
 - 7.3.4 Sending records that require confidential destruction to the Archives and Records Center for processing.

- 7.3.5 Contacting the Records and Elections Division, Records Management Program (344-3911), when considering acquisition of micrographic and other document and image storage systems.
- 7.3.6 Contacting the Records and Elections Division, Records Management Program (344-3911), as needed for information about public disclosure procedures.
- 7.3.7 Contacting the Records and Elections Division, Records Management Program (344-3911), as required for assistance in developing effective office systems and procedures.

8.0 PROCEDURES:

- 8.1 Implementation and maintenance of the Records Classification and Retention Schedule System:
 - 8.1.1 Follow procedures outlined in the King County Records Classification and Retention Manual, 1984.
- 8.2 Transferring records to the King County Archives and Records Center:
 - 8.2.1 Follow procedures outlined in the King County Records Classification and Retention Manual, 1984. These procedures are also available in a separate format from the Records Management Program (344-3911).



King County Executive
Randy Revelle

Department of Executive Administration

Lauraine D. Brekke, *Director*

March 13, 1984

TO: Executive Cabinet

FM: Randy Revelle, King County Executive

RE: Executive Policy/Procedure

1.0 SUBJECT TITLE: DISCLOSURE OF PUBLIC RECORDS

1.1 EFFECTIVE DATE: Five days after signature.

1.2 TYPE OF ACTION: New

2.0 PURPOSE:

2.1 To establish a uniform County-wide procedure for responding to requests for public records under the provisions of the Washington State Public Disclosure Law (RCW 42.17).

3.0 ORGANIZATIONS:

3.1 All King County Executive Departments

4.0 REFERENCES:

4.1 Revised Code of Washington 40.14.020 and WAC 414-12-010 provide that all public records produced by County employees in the course of their duties, whether official public records or unofficial office files and memoranda, are public property.

4.2 Revised Codes of Washington 42.17.250 through 42.17.340, require that government agencies publish rules of procedures for formal and informal requests for public records, that responses be made promptly, and that request denials be in writing.

4.3 Revised Code of Washington 42.17.310 and 42.17.260 provide that county documents and indexes be made public except for specifically exempt types of records.

4.4 Revised Code of Washington 42.17.300 and King County Ordinance No. 6598 provide for low-cost and uniform fees being charged for the copying of public records.

- 4.5 King County Code 2.12.090 provides that all county agencies will make copies of public records available to the public.

5.0 POLICY:

- 5.1 County offices shall handle all requests for public records uniformly, fairly, and expeditiously, with all due consideration for the requestor's needs as expressed or perceived.
- 5.2 County offices, by following a uniform procedure, shall comply with the Washington State Public Disclosure Law and promote public access to information about the conduct of government at all levels, while at the same time protecting the individual's right to privacy. Uniformity of procedure supports the legality of the process and enhances the credibility of the Department.
- 5.3 The policy is designed to provide a County-wide mechanism for handling difficult problems and explaining general points and thrust of the law. It does not attempt to offer precise answers about what is and is not public information. These questions should automatically be referred to the Prosecuting Attorney.

6.0 DEFINITIONS:

- 6.1 Public Records include any paper, correspondence, form, book, photograph, film, sound recording, map, drawing, or other document, regardless of physical form or characteristics, and including all copies, that have been made or received by an agency of the State of Washington in connection with the transaction of public business.

7.0 RESPONSIBILITIES:

- 7.1 Each division, office or agency shall be responsible for:
- 7.1.1 Maintaining a current index of records series held in their office, based on the King County Records Classification and Retention Manual, 1984. Any additional series added to the list need to be transmitted to the Records Management Program, Records and Elections Division.
- 7.2 The administrative head of a County agency, office, division, or department is responsible for:
- 7.2.1 Reviewing non-routine requests for public information and deciding upon complete or partial denial in conjunction with the Prosecuting Attorney.

- 7.2.2 Signing denial notification letters for all requests for public information. (See Appendices C and D)
- 7.2.3 Authorizing the masking or deletion of specific information from records deemed exempt by the Prosecuting Attorney. (See 8.6)
- 7.3 County employees involved with giving out public information are responsible for:
 - 7.3.1 Following the procedures outlined in this policy when responding to both routine and non-routine requests. They are responsible for the recognition of non-routine requests and the referral to the Division manager or designated authority.
 - 7.3.2 Promptly submitting the appropriate request/denial notification form letters to the designated administrative authority for signature and for sending the letter to the person whose request was denied. (See Appendices C and D).
- 7.4 The Department of Executive Administration, Records and Elections Division, Records Management Program shall be responsible for:
 - 7.4.1 Assisting departmental personnel in following the procedures outlined in this policy.
 - 7.4.2 Documenting record series within the King County Records Classification and Retention Manual, 1984.
 - 7.4.3 For further information on these policies, call the Records Management Program at 344-3911.

8.0 PROCEDURES:

- 8.1 Routine Requests. Accept requests for information in person, over the phone, or by mail. Make the records or desired information available to the requestor if the type of request has been routinely dealt with before. Refer any request for a credit check or verification of employment to Personnel. For a procedural overview, see Appendix B.
- 8.2 Non-routine Requests. Have the requestor complete the "Request for Public Records Form" (Appendix A) only if the request is non-routine, and if partial or total disclosure is questionable. Promptly forward the request to the Division Manager or duly-appointed designee who will refer the matter to the County Prosecuting Attorney's Office for an opinion if necessary. For a procedural summary overview, see Appendix B.

- 8.3 Denial Notifications. The division designee will notify the requestor in writing, over the signature of the Department Director or a designated representative, whenever partial or complete denial of a request for disclosure is decided upon. Notification, as provided for in RCW 42.17.320, will include a statement of the specific exemption authorizing the withholding of information, and a brief explanation of how the exemption applies to the record withheld. For notification forms see Appendices C and D.

Mail notifications of partial or complete denial as soon as possible within the constraints of Department operations. The Division will maintain a copy of the denial, attached to the original written request form, for at least six years. For a visual overview of the procedures described above, see Appendix B.

- 8.4 Waivers. The "Release of Information Waiver" form may be used whenever records that are requested about an individual need to be released by that individual, such as employee credit checks, or requests concerning private citizens. The department receiving the request must make sure that the individual involved signs a waiver form before the information is released. Persons signing waiver forms should present adequate identification, i.e., Driver's License, Passport, or two pieces of identification, including a picture and a signature at the time of signing. Waiver forms may be mailed, provided the form is notarized. (See Appendix E).

- 8.5 Exemptions. Information considered exempt and private, as opposed to public under Washington State's Disclosure Law is difficult to define precisely. However, RCW 42.17.310 does list the following general classes of records that are exempt from disclosure. The exemptions listed must be supplemented by legal precedents when making specific decisions on disclosure. They are provided here to give Department employees a better understanding of types of information which may possibly be exempt from disclosure.

8.5.1 Personal Information: "Personal information in files maintained for employees ... of any public agency to the extent that disclosure would violate their right to privacy," and, "Personal information in files maintained for patients, or clients of public institutions or public health agencies."

8.5.2 Complaints. "Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies ... if disclosure would endanger any person's life, physical safety, or property: Provided, that if at the time the complaint is filed the complainant indicates a desire for disclosure or non-disclosure, such desire shall govern..."

- 8.5.3 Tests. "Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination."
- 8.5.4 Preliminary Drafts, Notes, and Memoranda: "Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action."
- 8.5.5 Records Pertaining to a Controversy. "Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the Superior Court."
- 8.5.6 Lists for Commercial Purposes as Provided for in RCW 42.17.260. Lists of individuals, firms, and corporations are not disclosable for commercial purposes. The "Request for Public Records Form" (Appendix A) includes a disclaimer section, stating that the requestor will not use the information for commercial purposes.
- 8.6 Deletions. To delete specific information from records deemed exempt by the Prosecuting Attorney, a copy must be made of the document with the confidential information removed. This is done by placing strips of paper over the area or words that are to be deleted and copying the document with the paper in place.
- 8.7 Fees. RCW 42.17.300 states that "agencies may impose a reasonable charge for providing copies of public records." King County Ordinance No. 6598 sets the following Departmental fee schedule:
- 8.7.1 Schedule for Copies or Extracts of County Records.
- a) Certified Copies: \$2.00 for the first page
\$1.00 for each additional page.
 - b) Non-Certified Copies:
 - Class I
 - 8½" x 11" or smaller, reproduced on Xerox, dry film printer or similar copy machine:
 - \$.50 for the first page
 - \$.25 for each additional page

Class II

8½" x 11" or smaller produced on photostat or similar machine:

\$2.00 for the first page
\$1.00 for each additional page.

Class III

Diazo duplicates of microfiche:

\$.50 for the first fiche
\$.25 for each additional fiche

Class IV

Opaque ozalid process:

\$.50 per running foot, or fraction
up to 42 inches wide.

Class V

In cases where self-serve by the public is deemed feasible, a coinbox-operated machine may be installed to provide copies at the lowest possible cost.

Class VI

Paper copies of microfilm records from roll film or microfiche and produced by Bell and Howell, Kodak, 3-M, or similar copy processes:

\$.50 for the first page
\$.25 for each additional page

Class VII

Bulk rates for multiple copies (in excess of 10-25) and/or documents shall reflect actual costs.

Class VIII

Voter Registration Files:

- 1) Printouts - \$125.00 Base File Processing Charge Plus
 - 1-Part paper - 35¢/Precinct
 - 2-Part paper - 50¢/Precinct
 - 3-Part paper - 65¢/Precinct
- 2) Name and address labels - \$125.00 Base File Processing Charge Plus
\$1.75/Precinct (Systems Services supplies)

- 3) Standard Magnetic Tape (1600 BPI minimum)
\$125.00 Base File Processing Charge Plus
.15/Precinct
- 4) Certify Tape - No base file processing charge
\$ 10.00 per reel
- 5) Systems Services Supplies Magnetic Tape
\$25.00 Certified Check per reel loaned

Class IX

Department of Public Safety:

Case Reports: \$6.00/per request for each report
requested by members of the
public.

Record Checks: \$6.00/per request for each request
by general public

Class X

Vital Statistics (RCW 20A.630):

Certified Copies: \$6.00 per page

APPENDIX AREQUEST FOR PUBLIC RECORDS FORM

KING COUNTY

REQUEST FOR PUBLIC RECORDS

DATE _____

NAME _____

ADDRESS _____

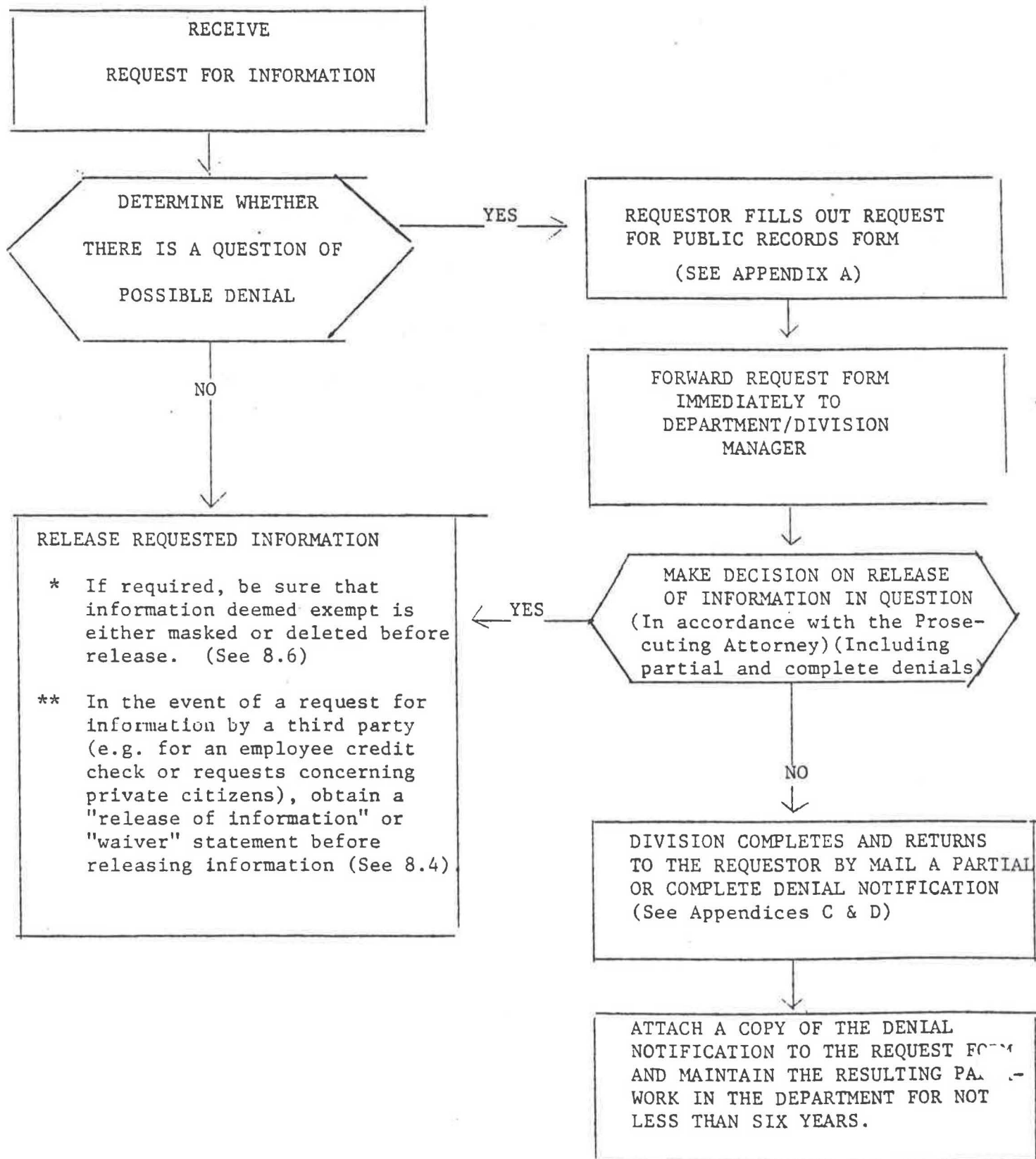
CITY _____ STATE _____ ZIP _____

PHONE _____

Please describe below the records you are requesting and any additional information that will help us locate them for you quickly.

I certify that the information obtained through this request for public records will not be used for commercial purposes.

SIGNATURE _____

PROCEDURAL FLOW CHART

APPENDIX C

PARTIAL DENIAL NOTIFICATION FORM LETTER

DATE

Dear

The King County Department of _____ hereby denies your request for access to files pertaining to departmental employees' payroll records.

Refusal is based on RCW 42.17.310(1)(b) which states the following shall be exempt from public inspection and copying: "...Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy."

Payroll files contain such items as an employee's address, number of dependents, garnishments,...etc. The unconsented disclosure of such information constitutes an invasion of an employee's right to privacy.

We will, however, if you still desire, make copies of such records available to you, upon your request, after deleting or masking identifying material from the files.

Thank you.

Director, King County Director of _____

APPENDIX D

COMPLETE DENIAL NOTIFICATION FORM LETTER

DATE

Dear

The King County Department of _____ hereby denies your public records request for the study recommendations of the _____ Department concerning county-wide programs.

Refusal is based on RCW 42.17.310(1)(i) which in pertinent part states the following shall be exempt from public inspection and copying:

"....recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action."

The information that you seek is maintained by the Office of the Director. However, these papers have not become part of the public record; they are, as such, exempt from disclosure.

Thank you.

Director,
King County Department of _____

WAIVER FORM FOR THE RELEASE OF INFORMATION

I, _____, hereby
authorize _____ of King County,
Department of _____ to disclose to _____

Agency or Person
whose address is _____,
the following information _____

which is held by King County.

I execute this release voluntarily and with full knowledge of
its significance.

(Signature)

I certify that the above signature is the person known to me
as _____, and I have personally verified
his/her identity.

(Witness)

(Title)

(Agency)

(Date)

Mail request identification verification must be made by a Notary.