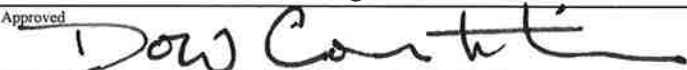




King County

General Administrative Policies and Procedures

Title	Document Code No.
Disposition of Public Records in King County	INF-15-3-2 (AEP)
Department/Issuing Agency	Effective Date.
DES/Records and Licensing Services Division	MAY 23, 2011
Approved	
	

1.0 **SUBJECT TITLE: Disposition of Public Records in King County**

- 1.1 EFFECTIVE DATE: (10 days after Executive Signature)
- 1.2 TYPE OF ACTION: Supersedes INF 15-3-1 (AEP), "Disposition of Records at the King County Records Center" dated January 19, 2009
- 1.3 KEY WORDS: Archives, Destruction, Disposition, Electronic Records Management System, ERMS, Records Center, Records Retrievals, Retrievals

2.0 **PURPOSE:**

To establish King County policies and procedures for the legal and timely disposition of public records that have fulfilled the required retention period. This policy applies to all King County records stored and maintained in any format.

3.0 **ORGANIZATIONS AFFECTED:**

All King County Agencies, Departments and Offices

4.0 **REFERENCES:**

- 4.1 R.C.W. 40.14 - Preservation and Destruction of Public Records
- 4.2 R.C.W. 42.56 – Public Records Act
- 4.3 WAC 434-640 – Methods of Records Disposal
- 4.4 King County Code 2.12 – Retention of Records
- 4.5 INF 7-12.2 (AEP) - Public Disclosure Response Protocols.

5.0 **DEFINITIONS:**

- 5.1 "Archival Records" are records designated in a records retention schedule and/or appraised by the County Archivist as having enduring historical value and/or a research use beyond the use for which the record was created.
- 5.2 "Category" describes the type of records produced as a result of one or many business functions of an agency. In the Electronic Records Management System (ERMS), a category is the equivalent of a record series. The rule associated with the category

contains the approved disposition authority number and gives the retention period for the record series.

- 5.3 "Cutoff Date" is the date or event triggering the countdown of the retention period.
- 5.4 "Disposition" is the action that is taken on records that have reached the end of their retention period - destruction or transfer to King County Archives.
- 5.5 "Disposition Authority" is the liaison between their department and the Archives and Records Management Section. This individual has a strong knowledge of the agency business functions and associated records. The disposition authority appoints alternate disposition authorities and records coordinators for their department, division or section. Final disposition of records is approved by the disposition authorities designated by the agency.
- 5.6 "Disposition Authority Number (DAN)" is the unique number assigned to each retention schedule by the Washington State Local Records Committee. This number represents approval by the state Local Records Committee to destroy or transfer records to the archives after a specified period of time known as the retention period.
- 5.7 "Disposition Authorization Report" is the report sent by Records Management to agencies to inform them that records are eligible for destruction. The report may include both physical and electronic records.
- 5.8 "Electronic Records Management System (ERMS)" is the system used to securely and effectively manage both electronic and physical records within their retention period in accordance with the county's records management policies.
- 5.9 "ERMS File Plan" is the file structure built by the agency under the categories (record series) provided by Records Management. The ERMS File Plan houses the boxes, folders, and documents managed in the system.
- 5.10 "Electronic Record" means any record that exists on electronic media. Examples include: e-mail messages and attachments, electronic documents, digital images and databases.
- 5.11 "Final Disposition Notice" is the memo sent to agencies which have not returned the Disposition Authorization Report within the prescribed forty-five (45) days.
- 5.12 "King County Archives" is the repository operated by King County where archival records are collected, preserved and made accessible to the public.
- 5.13 "King County Records Center" is a facility operated by King County that is responsible for the controlled storage of inactive records and the destruction of records that are past their retention period. Records stored in the Records Center remain in the legal custody of the agency that created them.

- 5.14 "Record Series" is a group of records, performing a specific function, which is used as a unit, filed as a unit, and may be transferred or destroyed as a unit. A record series may consist of a single type of form or a number of different types of documents that are filed together to document a specific function.
- 5.15 "Records Coordinator" is the individual designated by the disposition authority to send and retrieve records from the Records Center. This individual works closely with the agency's business records on a daily basis.
- 5.16 "Records Retention Schedules" are approved by the Washington State Local Records Committee. They list the common types of records created by local government agencies and indicate the minimum length of time the record is to be retained. The schedules also designate records as essential and/or archival. The information in the categories is derived from these approved records retention schedules. Retention schedules for King County agencies can be found on the Archives and Records Management intranet site.
- 5.17 "Retention Period" is the length of time during which records must be maintained by an agency after the cutoff date is reached.
- 5.18 "Washington State Local Records Committee" is the committee that has the authority to review and approve the disposition of all local government records in accordance with RCW 40.14.070 and WAC 434-630.

6.0 POLICIES:

- 6.1 Disposition of King County records shall be pursuant to a records retention schedule approved by the Washington State Local Records Committee. Disposition will be documented using the appropriate reports and forms provided by the Archives and Records Management Section.
- 6.2 All King County agencies will appoint a minimum of one disposition authority to approve disposition of records and to designate records coordinators. The appointment of disposition authorities must be authorized in writing through the "Disposition Authority Designation Form" and on file in the Archives and Records Management office. In the event that a disposition authority is not appointed or is unavailable, agency management will be responsible for designating one.
- 6.3 The disposition authority or their delegate will work closely with Archives and Records Management on the agencies' records management issues. Duties include helping Records Management staff with records retention scheduling, ERMS file plan development, records transfer to inactive storage, and coordination of records retrievals.
- 6.4 The disposition authorities will have a total of forty-five (45) days to coordinate a response to receipt of a Disposition Authorization Report. Disposition may consist of

destruction, transfer to the Archives, or a request for an extension of the retention period. A "Final Disposition Notice" will be sent to the disposition authorities if no response has been received after thirty (30) days. If a response is not received within forty-five (45) days of the initial notice all records indicated on the Disposition Authorization Report will be transferred back to the agency at the agency's expense.

- 6.5 All requests to extend retention of records listed on the Disposition Authorization Report must be approved by the Archives and Records Management Manager or the King County Records Center Supervisor. Appropriate reasons to extend the legally mandated records retention period include those records involved in ongoing or pending litigation, audit, public disclosure request, or government investigation.
- 6.6 The Archives and Records Management Section offers three types of destruction services for records that have reached their legal retention period: (1) Direct destruction of physical records stored with the agency. (2) Destruction of physical records held in inactive storage at the King County Records Center. (3) Deletion of electronic records maintained in the ERMS.
- 6.7 For records which have been designated as archival by the King County Archivist, a signed Disposition Authorization Report or an Archival Records Transmittal and Transfer Agreement serves as the authorization to transfer both physical and legal custody of these records to the King County Archives. For agencies on ERMS, approval of the electronic disposition authorization serves as this authorization.

7.0 PROCEDURES:

Action By: Records Management

Action:

- 7.1 Sends out Disposition Authorization Reports to each agency's disposition authorities, at least annually, showing which records have met their retention periods and are ready for disposition.

Action By: King County Archivist

Action:

- 7.2 Reviews Disposition Authorization Reports. Approves disposition of records that have no enduring historical value or are not archival. Forbids destruction of records that have enduring historical or archival value. This action authorizes transfer of these records to the King County Archives.

Action By: Disposition Authorities (designated by agencies)

Action:

- 7.3 Reviews all records listed on the Disposition Authorization Report to ensure that no records scheduled for disposition related to any pending legal case, claim, or action.
- 7.4 Responds to the Disposition Authorization Report within forty-five (45) days. A response involves either approving or forbidding disposition of the records via an online report.

Action By: Records Management and Records Center Staff

Action:

- 7.5 Records Management reviews the Disposition Authorization Reports and processes disposition of approved records through the ERMS.
- 7.6 Records Center staff destroys physical records approved for destruction by appropriate means or if archival, transfers physical records to the King County Archives.

8.0 RESPONSIBILITIES:

- 8.1 The Archives and Records Management staff are responsible for reviewing all records transferred to the King County Records Center to ensure that records are not destroyed before their legal retention period is up, that records with archival value are maintained, and that records are not held longer than is required by county code and state law.
- 8.2 Agencies are responsible for designating at least one disposition authority and one alternate. Designations must be accomplished in writing through the Disposition Authority Designation Form and sent to Records Management for filing. A new letter of designation will need to be accomplished and sent to Records Management if there are any changes to agency disposition authorities.
 - 8.2.1 Agency disposition authorities are responsible for working with Archives and Records Management to appropriately dispose of agency records by responding to the Disposition Authorization Report within forty-five (45) days of receipt.
- 8.3 The disposition authority or their delegate(s) are responsible for working closely with Archives and Records Management on all of the agencies' records management issues. These responsibilities may include:
 - 8.3.1 Records retention scheduling, records transfer to inactive storage, maintenance of records transmittals and coordination of records retrievals and refiles.
 - 8.3.2 Ensuring accurate and up-to-date retention schedules are used on transmittal forms when sending records to the Records Center.
 - 8.3.3 Acting as a point of contact between the Archives and Records Management Section and their agency to receive changes in policy, procedures and forms, and disseminating information to agency employees.

- 8.3.4 Acting as a liaison with ERMS Team to:
 - 8.3.4.1 Request additional ERMS categories for new records;
 - 8.3.4.2 Notify Records Management when ERMS categories become obsolete or organizational ownership of records changes;
 - 8.3.4.3 Participate with the ERMS Team in maintenance of the agency's records including populating cutoff dates on records, requesting changes and updates to ERMS File Plans, etc.
- 8.4 Archives and Records Management staff are responsible for supplying disposition confirmation information to the Disposition Authorities. Agencies on the ERMS have online access to disposition information for their records.
- 8.5 King County agencies are responsible for the correct classification by category of records sent to the Records Center for inactive storage, for direct destruction, or to be stored on the ERMS. Archives and Records Management is available to assist agencies in identifying and scheduling on state-approved schedules those records which cannot be found on existing schedules.
- 8.6 King County Agencies are responsible for the security of hard copy records scheduled for destruction until those records are picked up by Records Center staff or an agency-selected vendor.

9.0 APPENDICES:

None