

Title III - Records Management

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Chapter 3.04 Public Records Act

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3.04.010 PURPOSE.

During the 2005 regular session of the Washington Legislature, the legislature passed Substitute House Bill 1133 (Chapter 274, Laws of 2005), which recodified provisions relating to disclosure of public records (formerly codified in RCW 42.17) into a new chapter RCW 42.56, effective July 1, 2006. RCW 42.56 is known as the Public Records Act. (RCW 42.56.020)

RCW Section 42.56.030 states: "The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. **This chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy and to assure that the public interest will be fully protected.** In the event of conflict between the provisions of this chapter and any other act, the provisions of this chapter shall govern."

3.04.020 BROAD DEFINITION OF PUBLIC RECORDS.

"Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (RCW 42.56.010(3)) Non-paper records, including those stored on magnetic, electronic or optical media, are included within the definition of a public record.

"Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents, including existing data compilations from which information may be obtained or translated. (RCW 42.56.010(4))

"Metadata" means data used to describe other data. Metadata describes how, when, and by whom particular content was collected, how the content is formatted, and what the content is. Metadata is designed to provide a high level of categorization to aid in the storage, indexing, and retrieving of electronic records for public use. The metadata in electronic records establishes and preserves the authenticity of the record in addition to the content, and is what makes an electronic record useful and accessible. In 2010, the Washington State Supreme Court ruled that metadata can be a public record and **is** subject to disclosure under the State's Public Records Act.

3.04.030 DUTIES OF PUBLIC AGENCIES (STATE AND LOCAL).

Each agency is required to appoint and publicly identify a public records officer whose responsibility is to serve as a point of contact for members of the public in requesting disclosure of public records and to oversee the agency's compliance with the public records disclosure requirements of RCW 42.56. The name and contact information of the agency's public records officer shall be posted at the local agency's place of business, on its internet site, or included in its publications. (RCW 42.56.580)

Agencies are required to establish rules of procedure for providing access to their public records. A current index of certain record series, as noted in RCW 42.56.070(3), should be maintained. A local agency need not maintain such an index if to do so would be unduly burdensome and if the agency complies with the stipulations of RCW 42.56.070(4). (RCW 42.56.040, RCW 42.56.070(3) and (4) and RCW 42.56.100)

Agencies must make their facilities available for inspection or copying of public records. Public records must be made available for public inspection and copying during customary office hours of the agency. Customary office hours must be posted on the agency's web site. Agencies must honor requests by mail or e-mail for identifiable public records (unless exempt). (RCW 42.56.080, RCW 42.56.090, and RCW 42.56.100)

Agency charges for photocopies shall be in accordance with the actual per page cost established and published by the agency. If the agency has not determined the actual per page cost for photocopies, the agency may not charge in excess of 15 cents per page plus the actual postage or delivery charge and the cost of any container or envelope used to mail the public records to the requestor. The agency may not charge for staff time spent in locating a record or for making a record available for copying. (RCW 42.56.070(7) and (8) and RCW 42.56.120)

Agencies should adopt procedures to protect their records from damage or disorganization and to prevent excessive interference with essential agency functions. An agency may seek a court order to protect a particular record. (RCW 42.56.100)

NOTE: Agencies that include a Court should recognize that General Court Rules may affect laws regarding public disclosure, fees, and other potential protection from the Public Records Act for court records.

3.04.040 WHAT RECORDS MAY BE WITHHELD.

There is no general "right of privacy" exemption from public disclosure, aside from specific statutory exemptions. Furthermore, a right of privacy is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. Some records are exempt from public inspection, but only to the extent required to protect personal privacy or vital governmental interests. Exemptions do not apply if the exempt information in the requested record can be separated from the non-exempt information. An agency that refuses inspection of any public record—in whole or in part—shall include a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. Furthermore, when the reason for the exemption ceases, the records or files may lose their exemptions. (RCW 42.56.050, RCW 42.56.070(1) and (2) and RCW 42.56.210)

The following RCW sections identify specific exemptions to disclosure of public records:

- RCW 42.56.230 Personal information
- RCW 42.56.240 Investigative, law enforcement and crime victims
- RCW 42.56.250 Employment and licensing
- RCW 42.56.260 Real estate appraisals
- RCW 42.56.270 Financial, commercial and proprietary information
- RCW 42.56.280 Preliminary drafts, notes, recommendations, and intra-agency memorandums
- RCW 42.56.300 Archaeological sites
- RCW 42.56.310 Library records
- RCW 42.56.320 Educational information
- RCW 42.56.330 Public utilities and transportation
- RCW 42.56.335 Public utility districts and municipally owned electrical utilities -- Restrictions on access by law enforcement authorities
- RCW 42.56.340 Timeshare, condominium, etc. owner lists
- RCW 42.56.350 Health professionals
- RCW 42.56.360 Health care
- RCW 42.56.370 Domestic violence program, rape crisis center clients
- RCW 42.56.380 Agriculture and livestock
- RCW 42.56.390 Emergency or transitional housing
- RCW 42.56.400 Insurance and financial institutions
- RCW 42.56.403 Property and casualty insurance statements of actuarial opinion
- RCW 42.56.410 Employment security department records, certain purposes
- RCW 42.56.420 Security

RCW 42.56.430	Fish and wildlife
RCW 42.56.440	Veterans' discharge papers
RCW 42.56.450	Check cashers and sellers licensing applications
RCW 42.56.460	Fireworks
RCW 42.56.470	Correctional industries workers
RCW 42.56.480	Inactive programs

Agencies must maintain a current list of laws—other than those listed in RCW 42.56—that the agency believes exempts or prohibits disclosure of specific information or records of the agency. As a reference, Municipal Research and Services Center (www.mrsc.org) maintains a list of other State statutes, Federal Confidentiality Statutes, and Rules in their publication titled "Public Records Act for Washington Cities, Counties, and Special Purpose Districts" (Appendix C). An agency's failure to list an exemption shall not affect the efficacy of any exemption. (RCW 42.56.070(2))

RCW 42.56.070(9) forbids public agencies from providing access to lists of individuals "requested for commercial purposes" unless specifically authorized or directed by law. Lists of professional licensees and applicants for professional licenses are available to recognized professional associations or educational organizations.

3.04.050 PROCEDURES FOR ACCESS, REMEDIES.

Agencies are required to make their records available "promptly" on request, and they must establish procedures for reviewing requests. Within five business days of receiving a public records request, the agency must respond by either: 1) providing the record; 2) providing an internet address and link on the agency's web site to the specific records requested (unless the requestor notifies the agency they cannot access the records through the internet); 3) acknowledging that the agency has received the request and providing a reasonable estimate of the time the agency will require to respond to the request; or 4) denying the public record request. If a request is denied, the agency must provide a written statement of the specific reasons for denying the request. (RCW 42.56.520)

Agencies may not deny a request for identifiable public records solely on the basis that the request is overbroad. In acknowledging receipt of a public records request that is unclear, an agency may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the agency need not respond further. Identifiable public records that are part of a large set of requested records may be made available on a partial or installment basis as they are assembled or made ready for inspection or disclosure. Payment for installments must be made within 30 days of notification of availability in order for further installments to be provided. If the requestor fails to pay the deposit, inspect a set of records, and/or pay for an installment within 30 days of notification, the Public Records Officer may stop searching for the remaining records and close the request. (RCW 42.56.080, RCW 42.56.120, and RCW 42.56.520)

Absent statutory provisions to the contrary, agencies may not release or withhold records based upon the identity of the requestor. Requestors are not required to provide information as to the

purpose for their request except to establish whether inspection and copying would violate RCW 42.56.070(9) or any other statute that exempts or prohibits disclosure of specific information or records to certain persons. (RCW 42.56.080)

If a public records request is made at a time when such record exists but the record is scheduled for destruction in the near future, the agency shall retain possession of the record, and may not destroy or erase the record until the request is resolved. (RCW 42.56.100)

A person whose request for inspection or copying is wrongly denied, or for whom the agency has not made a reasonable estimate of the time the agency requires to respond, can sue in his or her own behalf. The court may order the record to be produced. The burden of proof is generally on the agency to establish that their refusal is in accordance with a statute that exempts or prohibits disclosure and/or that the time estimate provided is reasonable. Any person who prevails against an agency in the courts is entitled to be reimbursed for all costs, including reasonable attorney's fees incurred in connection with such legal action. In addition, it shall be within the discretion of the court to award an amount not to exceed one hundred dollars for each day the request was denied. (RCW 42.56.550)

3.04.060 RESOURCES

- Municipal Research and Services Center of Washington (MRSC): www.mrsc.org
- Washington Association of Public Records Officers: www.wa-pro.org
- Washington State Attorney General's Office: www.atg.wa.gov

Chapter 3.08 Records Management

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3.08.010 GENERALLY.

Public records are the source documents of local government. They are the property of the state and must be preserved, stored, transferred, destroyed or disposed of only in accordance with guidelines established by the State Archivist. The purpose of a records management program is to minimize the physical volume of an agency's records, streamline records retrieval, improve the integrity of files, reduce risk, and cut costs. Improper or premature disposal of records may create unnecessary liability for a municipality. In addition to legal requirements for managing records, the continued retention of obsolete records—those that have met their retention period—is an unnecessary expense and a management concern because such material uses up valuable working space, hinders the use of active records by creating crowded and chaotic files, and increases risk exposure relating to public records requests and litigation. On-going storage of obsolete records can also create added fire and safety hazards and affect IT infrastructure.

3.08.020 PUBLIC RECORDS DEFINED.

The term "public records" applies to any paper, correspondence, completed form, bound record book, photograph, sound recording, film, machine readable material, map, drawing, compact disc or other document, regardless of physical form or characteristics, that has been created or received by a state or local government agency in connection with the transaction of public business. Non-paper records, such as those stored on magnetic, electronic or optical media, including e-mail messages and database records, are included within the definition of public records. (RCW 40.14.010 and WAC 434-610-020)

3.08.030 PUBLIC RECORDS RESPONSIBILITIES AND LEGAL REQUIREMENTS.

The disposition of public records carries special statutory requirements that need to be understood by public officials and employees. In most states, statutes regulate the retention and disposition of government records. In Washington State, chapter 40.14 of the Revised Code of Washington (RCW) is the primary statement of public policy on the management, preservation, and destruction of public records, and is as implemented by the Washington Administrative Code (WAC), chapters 434-600 to 677. All state and local government agencies are responsible for managing information—in any form—that documents its policies, operations or business transactions. These responsibilities include:

- Retain necessary records
- Dispose of obsolete records
- Transfer historical records to the Regional Archives
- Protect essential records

- Maintain accessibility and provide public access

3.08.040 RECORDS MANAGEMENT DEFINED.

The term "Records Management" encompasses a number of activities that contribute to the goal of being compliant with public records laws, and making it easier, more efficient, and less costly to retain records. These activities include, but are not restricted to records retention scheduling, storage of inactive records, files management, forms and reports management, micrographics/optical imaging, and essential records protection and disaster preparedness. Any or all of these activities may be incorporated into a specific program to meet the needs of a particular agency. Records management is a commonly accepted business practice worldwide, both in the public and private sectors, and supports the core functions of agency business.

3.08.050 RECORDS AS PUBLIC PROPERTY.

All public records shall be, and remain, the property of the state and/or local agency. Outgoing officials and employees must pass such records on to their successors. Furthermore, public records shall be preserved, stored, transferred, destroyed, and otherwise managed according to the provisions of RCW 40.14 unless otherwise provided by law. (WAC 434-615-010)

3.08.060 CUSTODY OF PUBLIC RECORDS.

Public records must remain in the legal custody of the agency in which they were originally received or created. They shall not be placed in the legal or physical custody of any other person or agency, public or private, or released to individuals, except for disposition pursuant to law or unless otherwise expressly provided by law. If an agency considers use of a cloud or third party vendor storage solution, ownership of the records needs to be very clear. Records should not be out of an agency's control no matter whose "custody" they are in. (WAC 434-615-020) Section 3.08.150 of this chapter outlines an agency's authority to transfer records to the State Archives.

3.08.070 AUTHORITY TO ADOPT RECORDS RETENTION SCHEDULES.

The Washington State Local Records Committee may approve and issue records retention schedules, which give authority to local agencies for the disposition of specific types of public records. Records retention schedules provide this authority on a recurring basis until such time as they might be amended or revised by the committee. (RCW 40.14.050 and .070)

3.08.080 LOCAL RECORDS COMMITTEE.

The Washington State Local Records Committee includes the State Archivist and representatives from the offices of the State Auditor and State Attorney General. This committee has the authority to review and approve the disposition of all local government records. (RCW 40.14.070)

3.08.090 RECORDS RETENTION SCHEDULES IDENTIFIED.

A records retention schedule lists specific types of records maintained by an agency and the period of time that each type should be retained. Records that have no further legal or regulatory requirements, and no administrative, operational, or auditing use, may be disposed of once the specified retention period has been met. Local governments, including an agency's boards and commissions, must follow the records retention schedules approved by the Local Records Committee under RCW 40.14.070. The retention schedules also provide for the preservation of historically valuable records that should be preserved (transferred to the Regional Archives), and identifies "Essential records" that should be protected with microfilm or other security back-up measure. Records series are categorized among several different State-approved retention schedules, including:

- **Local Government Common Records Retention Schedule (CORE):** Covers the public records of local government agencies that relate to the common functions of the management of the agency and management of the agency's assets, finances, human resources, and information resources.
- **Local Government General Records Retention Schedule (LGRRS – by Type of Agency):** Covers the public records of local government agencies relating to specialized functions including, but not limited to: animal services; cemeteries, District and Municipal Courts, fire and emergency services; health departments and districts; housing authorities, facility and property management; land use planning and permitting; licensing, permitting and taxation; parks, recreation and culture; prosecuting attorneys and assigned counsel; social services; transit; and utility services.

3.08.100 BASIC ELEMENTS OF A RECORDS RETENTION SCHEDULE.

1. **Records Series Title and Description:** Each type of record listed on a records retention schedule is a records series. A records 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, and may be transferred or disposed of as a unit.
2. **Retention Period and Disposition Action:** Each records series listed on a records retention schedule has a corresponding retention period. This is the minimum amount of time that records in that particular series must be retained by the agency to meet its legal obligations and administrative needs. Direction for proper disposition of the records series is also provided (i.e. destroy, retain permanently, transfer to State Archives).
3. **Disposition Authority Number (DAN):** These are the control numbers systematically assigned to records series or records retention schedules when they are approved by the Local Records Committee. A DAN number serves as reference to the authority provided by the Records Retention Schedule for disposition of a record.

4. **Remarks and/or Designation:** "Remarks" are used to relay for information that clarifies the provisions of a retention period, cites special legal requirements, or provides instruction on records series that have archival value or are designated as "Essential records."
5. **Archival or Potentially Archival Records:** A records series that the State determines to have enduring legal or historical value will bear the designation of "Archival" or "Archival—Appraisal Required" or "Potential Archival Value" and must not be destroyed. Upon expiration of the retention period, records from a series designated "Archival" must be transferred to the branch of the State Archives in your region or to the State's Digital Archives, or preserved according to archival best practices until they are transferred to the State Archives/Digital Archives. Upon expiration of the retention period, records designated "Archival – Appraisal Required" or "Potential Archival Value" must be set aside for appraisal by State Archives staff for possible transfer to the regional branch of the State Archives or to the Digital Archives. (WAC 434-615-030)
6. **Essential Records:** Records series with this designation are those an agency would need in order to maintain or resume its core functions following a disaster. Security backups of these public records should be created and may be deposited with Washington State Archives in accordance with RCW 40.10. Copies of master indexes, lists, registers, tracking systems, databases, and other finding aids should also be transferred with the records.
7. **Records Classification:** For the purpose of determining retention periods, public records are divided into two classifications: OPR and OFM. Regardless of the classification a records series held by a public agency may fall under, the length of time it is retained must be accounted for on an approved records retention schedule. (RCW 40.14.010)
 - a. **Official Public Records (OPR):** This classification applies to any records series that serves as legal or official proof of an action, transaction, or agreement. OPR records include all original vouchers, receipts and other documents necessary to isolate and prove the validity of transactions relating to the receipt, use and disposition of all public property and public income sources; all contracts and agreements to which the agency is a party; all fidelity, surety and performance bonds; all claims filed against the agency; all records or documents required by law to be filed with or kept by the agency; and all other records determined by the Local Records Committee to be Official Public Records. Unless otherwise provided by law, the minimum legal retention period for records classified as Official Public Records (OPR) is 6 years after completion of the action they document.
 - b. **Office Files and Memoranda (OFM):** The classification of "Office Files and Memoranda" includes such records as correspondence, exhibits, drawings, maps, completed forms, or documents not defined or classified as Official Public Records; duplicate copies of Official Public Records; documents and reports made for the internal administration of an agency but not required by law to be filed with or kept by that agency; and other records determined by the Local Records Committee to be Office Files and Memoranda.

3.08.110 FORMULATION OF INTERNAL WORKING SCHEDULES.

The State Records Retention Schedules may list records series that a particular agency does not have. Therefore, an "internal working schedule," which is restricted to listings that relate specifically to the agency's holdings, may be abstracted from the records retention schedules. The internal working schedule may be broken down into functional units and distributed to those persons who will be directly responsible for the disposition of various records series.

3.08.120 PRIMARY AND SECONDARY COPIES.

The official record copy—also known as the primary copy—of a record (whether created or received by the agency), especially an Official Public Record (OPR), must be retained in accordance with a current, approved records retention schedule, and should usually be retained longer than secondary copies. The official record holder of a particular record should be identified, and will have primary retention responsibility. Secondary copies (or duplicates) of the agency's primary records may be used for specific legal, fiscal, or administrative purposes. These secondary copies exist for convenience of reference, or for informational purposes, and may be discarded when no longer needed for agency business in accordance with the applicable designation for secondary copies in the State Records Retention Schedule.

3.08.130 USE OF MICROFILM AND OPTICAL IMAGING.

Complete, clear, and authenticated microfilm and optical imaging copies of public records that meet state standards have the same legal status as the paper originals. (RCW 40.20.020, 5.46.010, 36.23.065 and 36.23.067)

WAC 434-660 through WAC 434-677 contain standards for the accuracy and durability of electronic imaging systems, preservation of electronic public records, and use of security microfilm for the protection of records identified as "Essential records" or records with long-term retention requirements. In general, the use of microfilm or optical imaging may be justified when a records series is closed, is extremely voluminous, has a long retention period (10 to 15 years or more), or has a high rate of reference. Microfilm or optical imaging copies that meet State standards may be retained in addition to or as substitutes for the paper copies.*

Microfilm is recommended by the Washington State Archives as the best method of protection and backup for permanent or Essential Records. If documents have been microfilmed, they can be viewed on a microfilm reader, paper copies can be re-created in the event the originals are destroyed in a disaster, and digital copies can be created from microfilm for convenience and ease of use. RCW 40.10.

For information on State standards for microfilm and imaging, the following resources are available from a Regional Archivist:

- "Washington State Standards for the Production and Use of Microfilm"
- "Requirements for the Destruction of Non-Archival Paper Records after Imaging"

*NOTE: Records (paper or other media) designated as having Archival value may not be destroyed. Contact the Regional Archivist for appraisal and/or transfer to Washington State Archives/Digital Archives for preservation.

3.08.140 CONSIDERATIONS REGARDING RECORDS ON ELECTRONIC AND OTHER MEDIA.

1. **Identifying records other than paper:** As noted in Section 3.08.020 herein, the term "public records" applies regardless of physical form or characteristics. It can include records stored on magnetic, electronic, and optical media, including:

- Computer systems, recordings, CDs, DVDs.
- Audio/video recordings, multi-media, or slide presentations.
- Unstructured data, such as Word and Excel files, photographs, e-mails.
- Structured data such as information in databases and imaging systems.
- On-line content, including websites and social media postings (Twitter, Facebook, instant messaging, YouTube videos, etc.)
- Information stored via third party vendors or in the cloud.
- Text messages.
- Voice mail systems, particularly VoIP telephone systems, can generate digitized telecommunications that can be stored, managed as a digital object, and can be retrieved as a record.
- Content stored in legacy systems. "Legacy system" refers to computers and related hardware, software, and data that may or may not remain in use after the organization has installed newer technologies and systems.

2. **Retention of records in non-paper formats:** The retention period of a record is based on the content of the document—not the format. Information related to a particular records series may exist in one or multiple formats. Retention requirements depend on which records series the content fits into—not whether it is a piece of paper, an e-mail, photograph, or CD, etc. ***WAC 434-662-040 states electronic records must be retained in electronic format and remain usable, searchable, retrievable, and authentic for the length of the designated retention period.*** Printing and retaining a hard copy is not a substitute for the electronic version unless approved by the applicable records committee. Electronic records are very prolific and lend themselves to a redundancy within an organization. Compliance with good records management policies can eliminate much of this duplication.

Monitoring of records with long-term retention periods that exist in a non-paper format may be required, as they may need to be migrated periodically to a new format in order to ensure continued integrity and accessibility of data for the duration of the retention period. Electronic records with long-term retention that only exist electronically (i.e. within a financial software system or as a PDF file) may need output to microfilm to serve as emergency/disaster backup protection.

3. **Metadata:** "Metadata" means data used to describe other data and is what makes an electronic record useful and accessible. Metadata describes how, when, and by whom

particular content was collected, how the content is formatted, and what the content is. Metadata is designed to provide a high level of categorization to aid in the storage, indexing, and retrieving of electronic records for public use. The electronic version of a record contains metadata, which establishes and preserves the authenticity of the record in addition to the content. In 2010, the Washington State Supreme Court ruled that metadata can be a public record and **is** subject to disclosure under the State's Public Records Act. Therefore, metadata must be retained along with its corresponding electronic record for the length of the designated retention period.

The Regional Archivists and Electronic Records Management Consultants of the Division of Archives and Records Management serve as a resource for current information about management of electronic records and technologies.

3.08.150 AUTHORITY TO TRANSFER RECORDS TO THE STATE ARCHIVES.

Instead of being retained permanently by the agency, records (paper and other media) designated in a State Records Retention Schedule as having archival value may be officially transferred to the State Archives or one of its regional branches upon expiration of the retention period. Arrangements must also be made for transfer of any electronic versions of archival records to the State's Digital Archives. It is illegal to transfer public records to private persons/organizations or to depositories not designated by the State Archivist. (RCW 40.14.070 and WAC 434-615-020 and 434-615-030)

3.08.160 DISPOSITION OF PUBLIC RECORDS.

Public records (paper or other media) may be destroyed or transferred only in accordance with the instructions and approval of the State of Washington's Local Records Committee, which means according to the applicable State Records Retention Schedule or other specific approval. (RCW 40.14.070) During any destruction process, an agency must be aware of legal holds that put in place by the agency. An agency may initiate a legal hold, also known as a preservation order, freeze notice, or hold notice, if the agency feels litigation is reasonably anticipated. It is a notice to immediately preserve all forms of information relevant to that litigation and it suspends the normal disposition of records. Any records affiliated with such a legal hold should **not** be destroyed. In addition, records that may be responsive to a public records request that is open at the time of disposition may not be destroyed.

3.08.170 METHODS OF RECORDS DESTRUCTION.

Paper records: The primary objective of destruction is to reduce those obsolete records not eligible for transfer to the custody of the State Archives to an illegible condition. Burning, pulping and shredding are considered the most effective methods. It is recommended that a summary log and certificates or affidavits recording the date and details of destruction be kept for future reference.

You may use either of the two methods described below to recycle obsolete paper records.

1. *Pulping or shredding:* Records eligible for destruction may be taken to a recycling facility (or via an on-site service), where their pulping or shredding should be witnessed. *WAC 434-640-020*
2. *Secure recycling:* Records eligible for destruction may be released to a recycling agency under the following conditions:
 - a. The prompt destruction of the records must be ensured. Ultimate responsibility shall continue to be that of the office of record.
 - b. The recycling agency shall provide a performance bond in the penal sum of \$100,000.00 or the face value of records being destroyed, whichever is less.
 - c. Records shall not be left unattended or unprotected while awaiting destruction.
 - d. The office of record shall obtain and preserve evidence of the destruction of such records in the form of a certificate from the recycling agency. A letter of agreement or contract should be in effect between the agency and the recycler including these conditions.

WAC 434-640-030

Other records: If the paper copy of a record has been destroyed, a decision needs to be made whether to retain or destroy any copies that exist in other media formats; otherwise, the agency is just as liable for producing that record in response to a public records request or litigation. Likewise, retention and disposition decisions must be made about records that exist only in non-paper formats, including “born digital” records, which are materials that originated in a digital form (e-mail, digital photographs, web-based applications, etc.).

3.08.180 DISPOSITION OF RECORDS SERIES NOT COVERED BY A RETENTION SCHEDULE.

An agency that has a specific record they feel is not covered by an approved State Records Retention Schedule should consult with the Regional Archivist. Agencies may also submit a request to have a particular retention period reviewed. Should the Local Records Committee concur that a new Disposition Authority Number or retention period is warranted, the applicable State Records Retention Schedule will be revised accordingly.

3.08.190 PERSONALLY IDENTIFIABLE INFORMATION (PII).

Privacy laws such as HIPPA and FACTA regulate how organizations—public or private—protect records that contain Personally Identifiable Information. When personal information is provided to organizations, the intention is that it will be collected and used only for its intended purpose. Appropriate measures should be taken to secure records (paper and electronic) that contain personal information, financial data, and health information, and procedures should mandate the proper disposal of sensitive records.

3.08.200 SERVICES OF WASHINGTON STATE ARCHIVES.

The Washington State Archives is a division of the Office of the Secretary of State. The Division of Archives and Records Management operates under the provisions of RCW 40.14, which regulates the disposition of all records generated by state agencies and local government. The Division provides state and local agencies with technical assistance in complying with legal requirements and developing systems for managing their records. Services include standards, technical information, education and training, and consultation on micrographics, filing and information retrieval, protection of essential records, archival access to public records, electronic records management, disaster preparedness, and response, and the local government records grant program.

In addition, the Division provides certain records management services, some on a charge-back basis. These include source document microfilming and digitization, film processing and duplication, essential records microfilm storage, and restoration and conservation of endangered historical documents.

The Division is also responsible for identifying, storing, preserving, and providing public access to state and local government records that have an enduring legal or historical value beyond their usefulness to the agencies that created them ("Archival" records).

The Division of Archives and Records Management has developed a system of regional branches to make its services more directly available to agencies and citizens throughout the state. You may contact the Regional Archivist at the nearest branch listed in Section 9.08.040 herein with any questions you may have. Agencies should ask to be included on any distribution list utilized by the Division to keep local agencies informed of changes to the approved records retention schedules and other legislative activity.

3.08.210 RECORDS MANAGEMENT RESOURCES.

- Washington State Archives: www.sos.wa.gov/archives/recordsmanagement
- Washington State Archives Imaging and Preservation Services: <http://www.sos.wa.gov/archives/imaging.aspx>
- Municipal Research and Services Center of Washington (MRSC): www.mrsc.org
- ARMA International (Association of Records Managers and Administrators), which also has local chapters: www.arma.org
- NAGARA (National Association of Government Archives and Records Administrators): www.nagara.org
- AIIM (Association for Information and Image Management): www.aiim.org

Chapter 3.10 Municipal and Legislative History

Sections:

3.10.010 Municipal History

3.10.020 Legislative History Index

3.10.010 MUNICIPAL HISTORY.

Each municipality should develop a Clerk Handbook. In addition to policies and procedures, it is appropriate to include a short history of the municipality. A complete history could include the following information:

- Date of incorporation
- City classification (and any changes):
 - First class cities
 - Second class cities
 - Towns
 - Optional municipal code city ("code cities")
- Form of government (and any changes):
 - Mayor-council
 - Council-manager
 - Commission
- Location(s) of historic or important buildings (City Hall, Administrative Office, Library, etc)
- Mayors and/or City Managers/Administrators
- Governing body
- Clerks
- Attorneys
- Department directors
- Municipal judges
- Police and Fire Chiefs
- Members of appointed Boards and Commissions
- Annexations

3.10.020 LEGISLATIVE HISTORY INDEX.

It is very helpful to maintain an index of actions taken by the council, particularly if minutes are on a computer program that does not allow word searches. An index allows staff or citizens to search for a particular issue and retrieve all related legislation and documentation of actions taken by the governing body. Developing a list of topics under which each action can be categorized can assist in this research.

A legislative history index may include:

- Applicable topic heading

- The date of the action taken by the council
- The number of the legislation (i.e. ordinance or resolution number)
- A brief description of the action
- The volume and page in the minutes book where this information can be found*

*Depending on the technology used, if any, to store digital copies of minutes, ordinances, resolutions, etc., a link may be included within the index to provide direct access to the applicable document(s).

Chapter 3.18 Emergency Preparedness

Sections:

- 3.18.010 Prevention
- 3.18.020 Preparedness
- 3.18.030 Response
- 3.18.040 Recovery
- 3.18.050 Post-recovery
- 3.18.060 Resources

3.18.010 PREVENTION.

Protecting records, before they suffer the effects of an emergency—is a vital component of your records management program. A records emergency is an event that results in the destruction, loss, or inaccessibility of an agency’s records or data. Steps can be taken to reduce the scope of an emergency or prevent one from happening at all. There are costs associated with protecting records, but they are usually far less than the cost of recovering records damaged during an emergency. Response and recovery is expensive. It often turns into response and replacement.

Identify Your Essential Records

RCW 40.10 directs local governments to identify and protect their essential records and provides direction for doing so as necessary to provide continuity of local government under emergency conditions. RCW 38.52 directs responsibility for development of Emergency Management Plans by local agencies in accordance with the State Comprehensive Emergency Management Plan and program.

Essential records protection is the key to records disaster prevention. An organization must first identify their essential records based on agency functions and those record series designated as “Essential records” in the applicable State Records Retention Schedule(s). Generally, the records will fall into one of five broad categories of essential records:

- *Emergency operating records:* Emergency plans and directives, orders of succession, delegations of authority, joint powers agreements, mutual aid agreements, staffing

assignments, infrastructure and utility plans, maps and building plans, emergency contact information.

- *Records that protect the health, safety, property, and rights of residents:* Land records, deeds and easements, marriage and birth records, active court proceedings, education and military service records, voting records, professional licenses.
- *Legal and financial records,* regardless of media critical to resume or continue operations and protect the legal and financial rights or entitlements of the organization. Examples include ordinances, resolutions, minutes, policies and procedures, accounts receivable records, contract and acquisition files, current personnel files, payroll and retirement records, insurance records, parole records, equipment titles/records, current month's utility billing records, and property management and inventory records. (Non-records may include timesheet forms, blank checks, petty cash, and any cash receivables.)
- *Records that would require massive resources if they had to be reconstructed,* such as geographic information systems (GIS) data and tax records.
- *Records that are necessary to restore order and community* include historical documents, photographs, and identity records.

If you are still unsure as to what level of protection is needed, consider:

- What would the consequences be if these records were lost? What would be the cost to reconstruct these records in terms of time, labor, and money? How fast would the records be needed before there was serious damage to the agency's operations?
- Can these records be easily replaced from another source, agency, or office? Are these records already duplicated in another form? Is the information in an electronic database sufficient to substitute for the original record?

Protect Your Essential Records

The preferred method of protection for essential records will be based on considerations such as media type, frequency of use, volume, retention requirements, available resources, environmental conditions, security requirements, and historical significance, and the methods are not mutually exclusive.

Duplication and off-site storage is the best form of protection for essential records. This can include paper duplication, microfilm (that meets State standards), and/or electronic back-ups, all of which have advantages and disadvantages. Paper duplication works best when the volume is minimal or the update cycle is frequent. Microfilm or computer output microfiche is commonly used for records that are voluminous, change infrequently over time, and have long term or permanent value. Depending on the type of emergency, duplicate records may need to be stored 100 miles or more from the originals in order to ensure survival even during a major disaster. NOTE: The Washington State Archives provides security microfilm storage of essential records at no cost to local agencies.

Legally, electronic records are not different from records stored on paper or microfilm. Disaster prevention of electronic records begins with system design, and protection is through various

methods of data backup and duplication. Use of electronic media may be the best form of duplication when the essential record is already in electronic form, volume makes a paper copy impractical, and the information is frequently updated or superseded. It is also more appropriate for records with shorter retention periods (10 to 15 years or less) because of the many hardware and software changes that electronic media will be subjected to during that time. Whenever a new electronic records system is being designed, consider whether the record being created is an essential record and plan for its duplication as appropriate. NOTE: Scanning and digitization of paper records (use of imaging systems) creates both a duplicate copy and allows for convenient access to records. It is usually best for records that are closed (will have minimal or no changes) and have long-term retention requirements plus high retrieval needs. Microfilm can be produced from digitized images, to provide the best of both worlds.

Rescuing damaged hardware, software, and data is often impossible. Records Managers and IT staff need to work together. They should know where back-up tapes are and verify that the data on those tapes is good. IT should do integrity checks of the system and back-ups.

Depending on a record's value and risk consequences, other alternatives may provide an acceptable level of protection for some records, including:

Protective on-site storage is the use of special fire-resistant and environmentally controlled records protection equipment (cabinets) and storage space (vault or other room) designed for the protection of the media being stored. There are 10 simple and inexpensive ways to protect essential records being stored in your office:

1. Keep essential records out of active work areas.
2. Locate essential records on the office floor plan.
3. Separate essential records from other records.
4. Keep essential records close together.
5. Locate essential records near an exit.
6. Keep essential records off desks.
7. Keep essential records off the floor.
8. Keep essential records in metal cabinets.
9. Keep essential records out of bottom drawers.
10. Use fire and water-resistant file drawer labels.

Evacuation planning may be required for some essential records that change frequently, making them difficult or impossible to duplicate and/or store off-site. These records should be identified and made ready for evacuation if sufficient warning of an emergency permits. Identify these records in advance. Consider the use of red labels on file cabinets or other storage containing these records, or store them in vault space each night. Pre-labeled boxes may be staged in the event the files must be moved.

Typically, there is not enough money to protect all essential records against all potential emergencies. Conducting a Risk Analysis and Physical Threat Assessment will allow you to:

- Protect the most important records.
- Reduce the amount of damage caused by a disaster.
- Identify recovery priorities for damaged records.

Storage Recommendations

Taking these simple precautions when storing records may help avert a disaster:

1. Premises should be checked periodically for fire hazards such as discarded rags and newspaper, defective wiring, broken or unshielded pipes, oil leaks, blocked aisles, and voids in shelving. Fire traverses less rapidly when materials are shelved compactly!
2. Smoking should be prohibited in all storage areas. (Note: Smoking is prohibited in all public buildings.)
3. Class ABC fire extinguishers should be installed at strategic locations throughout the facility and serviced every six months.
4. If possible, install smoke detection and fire suppressant systems.
5. Heating and air conditioning systems should be checked and cleaned annually. Fire dampers can be installed in ventilation systems to check the spread of fire through a facility.
6. The drainage of floors located above records storage areas should be checked, and backwater valves in sub-grade drains should be installed. Drains should have the capacity to keep water from reaching the depth of three inches in the event of a sprinkler discharge.
7. If possible, storage facilities should be located above basement levels. The lowest shelf or drawer of a file cabinet should be off the floor.
8. If shelving is used, materials should be stored on steel shelving secured with bolts with cross bracing between shelving units. Consult with a construction engineer in order to be sure the bracing has adequate sway. Excessive bracing will cause the records to be thrown to the floor in the event of an earthquake.
9. Security microfilm of essential records may be sent to the Washington State Archives for storage. If stored on-site, microfilm should be packed in moisture tight cans before being placed in fire-resistant cabinets that produce moisture when heated. Steam will cause melting or stripping of the emulsion. Microfilm of different generic types, e.g., silver halide, diazo, and viscular, should be stored in separate vaults or cabinets, as the different types can interact with each other, producing dangerous gases.
10. Duplicate and discard all nitrate based negative films. This type of film is chemically unstable and highly flammable. It can spontaneously combust at room temperatures as low as 106 degrees F. Print all valuable negatives, and make a negative for all valuable prints without one. Copies of all negatives should be kept off-site.
11. If construction alterations are made to the facilities, be sure that fire-resistant or non-combustible materials are used in the walls and roofing of storage areas. Fire doors and fire dampers should be installed in the walls of any record storage areas.
12. Salvage and recovery procedures are made easier by the use of rag paper for documents, and avoiding the use of water-soluble duplicator processes, and water-soluble inks.

3.18.020 PREPAREDNESS.

Make a Plan

Immediate action at the time of an emergency is critical to successfully salvage records. There is no time to mull over and establish sound recovery procedures, open lines of communication, determine chain of command, or search out supplies. Creating an effective Records Emergency Action Plan in advance:

- Enables fast action, which is critical when responding to a records emergency.
- Ensures the actions taken are the correct actions and they are coordinated actions.
- Allows for the rapid resumption of operations.
- Protects records and maintains government accountability.

A Records Emergency Action Plan (REAP) should include actions and procedures to: (1) reduce the risk of a disaster, and (2) respond to and recover from a records disaster. It should be written by those responsible for the agency's records and be approved and endorsed by top management. It is important to be sure your REAP is identified in and complements the agency's emergency plans, i.e. Continuity of Operations (COOP), Continuity of Government (COG), Comprehensive Emergency Management Plan (CEMP) and/or Continuity of Business (COB) plan. Those plans may also help to verify insurance coverage relating to the cost of post-disaster recovery of services, systems, and records/data. Many agencies operate under the National Response Framework (NRF), an all-discipline, all-hazards plan for the management of domestic incidents across all levels of government. The NRF operates through 15 Emergency Support Functions (ESFs). It should be noted that records fall within ESF-11, "Agriculture and Natural Resources," because records are classified as cultural resources. Additional information on the NRF is available through FEMA. An agency's REAP would be considered an "Emergency Operating Plan" by FEMA.

For assistance in creating a REAP, the "Essential Records Manual" published by the Washington State Archives:

- Provides step-by-step instructions for protecting essential records.
- Outlines procedures for prevention, preparedness, emergency response, and recovery.
- Includes forms and templates for ease in creating your plan.

In addition to the Washington State Archives, training on essential records protection, recovery options and handling techniques for various types of damaged records, and creating a Records Emergency Action Plan may also be available from the Council of State Archivists (CoSA)/IPER Project and FEMA. The Northeast Document Conservation Center has created an on-line disaster-planning tool called dPlan™. Refer to Section 3.18.060, "Resources," herein.

A Records Emergency Action Plan should include:

1. A diagram of each floor showing room numbers, aisles, exits and entrances, stairways, windows, emergency lights and evacuation routes. Include the locations of computer network servers and mainframes, telephone equipment rooms and first aid equipment. Note the location of fire extinguishers, fire alarms, sprinklers, smoke detectors, annunciator panels, and fuse boxes. Identify shut-offs and master switches for gas, electricity, water,

HVAC system, and elevators. Make note of any hazardous materials on site and locations/access to master keys. Indicate the location of file cabinets, shelving, or other storage units by number, and associate that number with a contents list. Indicate whether these records are essential records, current, inactive, or historical, and whether they have been duplicated or otherwise protected.

2. A priority list for salvaging your records.
3. A list of records emergency response and recovery team members (and volunteers), including multiple forms of contact information, chain of command, and a communications plan.
4. A list of emergency contact numbers (building maintenance, insurance company, security company, utilities, Washington State Regional Archives, etc.).
5. Instructions to all employees on those emergency procedures to be followed in the event of a disaster, such as the use of emergency equipment and evacuation procedures.
6. A list of professional consultants who can be contacted in the event of an emergency.
7. Inventory of emergency supplies stockpiled in advance.
8. A list of facilities, services, and supplies that might be needed in the event of salvage and restoration operations. Include some out-of-region providers as second-source back up in the event of a widespread disaster. It would be wise to contact the agencies and vendors who can provide facilities, services, or supplies, in order to calculate the approximate cost of various restoration procedures, and to enter into agreements for the use of these resources. Make sure agreements clearly cover what the vendor will and will not be doing. Keep these agreements current. Knowing the cost of various recovery techniques can often be the deciding factor in how a salvage problem is handled.*
9. A list of spaces within your own agency or other nearby facilities that might be useful for staging or recovery of salvaged records. (One standard archive box requires three standard 6-foot utility tables of drying surface.) Include information on equipment that will be needed such as electricity, water, communications, and computers.
10. Funding plan (i.e. designated emergency account, petty cash, purchase orders, government credit card). NOTE: Records of expenses, staff time, overtime, etc., will be crucial if FEMA reimbursement is available for the emergency.
11. Emergency recovery processes for electronic records that will protect the most business-critical processes and minimize unplanned downtime and that address the restoration of the network and systems, in addition to critical applications and functions. Issues to consider when incorporating emergency recovery issues into an electronic records management system are:
 - Recovery of the IT infrastructure.
 - Restoration of the operational and business processes.
 - Recovery time for data availability based on analyzing the system for criticality.

*Agencies in Washington State may be eligible to take advantage of a contract between the Washington State Archives and the Department of Enterprise Services for document recovery services and facility mitigation. Contact your Regional Archivist for information if your agency is not already part of the Washington State Purchasing Cooperative.

Make copies of any forms and the instructions needed for use during recovery operations. Crate and store the materials in one or more accessible locations, including off-site. These may include:

- Emergency contact information
- Essential records schedule
- Salvage priority lists
- Records recovery tracking system forms
- Damage assessment forms
- Recovery checklists
- Response plan
- Emergency equipment inventory lists—for supplies on hand and that may be needed
- Pack-out logs (for when records are moved)
- Purchase orders/Requisitions
- Labeling materials

Once the REAP is approved, training and testing will be required to help staff become knowledgeable about their responsibilities, to validate your plans, and to reveal weaknesses in the REAP. Consider both desktop and large-scale testing scenarios. Be cognizant of confidential information when distributing copies of the REAP. It is not necessary to distribute the entire plan to everyone involved. Copies should be kept in various locations, including off-site. The REAP must also be reviewed on a regular schedule (once a year) to ensure that all information is accurate and up to date and to integrate information on any new facilities, records initiatives, computer systems, etc.

After your Records Emergency Action Plan is in place, consider creating a “Pocket Response Plan,” which applicable staff can carry in a wallet. Templates are available through ARMA and CoSA. See Section 3.18.060, “Resources,” herein.

What do you need to plan for?

Water is the most common cause of damage to records as it can result from severe weather conditions and from building problems such as leaks, broken pipes or poor drainage. Water damage may cause a progression to further damage such as mold. Even if a fire does not consume records, they will inevitably be damaged by water from sprinklers or the water used to extinguish the fire. A disaster may be the result of human threat or storage conditions. Your level of risk will also vary depending on geography, climate, and other natural conditions where your agency exists, plus its immediate surroundings (i.e. near an airport or railway hub, chemical plant, etc.). Some types of disaster may not actually cause damage to the records themselves, but may result in loss of access to records or electronic data. Potential disasters include:

- Earthquake
- Fire, Smoke (charred and burned)
- Wildfire
- Flood or Leak
- Hurricanes
- Ice Storm

Wind Storm
Landslide
Tornado
Tsunami
Volcano
Power Failure
Plumbing and Equipment Failures
Chemical or Hazardous Material Emergency
Radiological Weapons/Attacks
Contamination (from substances poured on records, PCBs from transformers, sewage)
Human and animal disease outbreaks
Explosions, including aircraft crashes
Human Error
Computer Viruses or Hacking
Terrorism/Vandalism
Bomb Threats
Civil Disorder/Riot

Services required may include:

Contamination specialists
Data recovery (hard disks, floppy disks, cassette tapes, CDs or DVDs, microfilm)
Drying and dehumidification services and equipment
Electrician
Equipment rental (generators, power cables, tables, HEPA-filtered vacuum)
Fire/smoke restoration
Freezers (cold storage)
Glass replacement
Locksmith
Mold remediation (Mycologist)
Pest control/fumigation
Plumber
Preservation consultants
Tree service
Trucking/transport services
Vacuum freeze-drying
Vacuum thermal drying
Water damage restoration

3.18.030 RESPONSE.

The first step in responding to an emergency is to assess the damage and take actions that will minimize additional damage and facilitate the most effective means of records recovery. Immediate action is essential in the salvage of records. The quantity of records involved can often be the deciding factor in choosing between different procedures to accomplish the same

objectives. For further information regarding treatment strategies for damaged records, refer to resources available through the organizations listed in Section 3.18.060 herein.

The Records Emergency Action Plan (REAP) created by your agency will provide the basis for responding to any type of emergency. The initial response for most emergencies will likely include:

- Gain access to the damage site as quickly as possible.
- Assemble the recovery team as soon as possible using methods outlined in your REAP. A person or a team who understands records must lead the response effort.
- Establish controls to ensure agency policy and procedures regarding the handling of all records are followed. Security will have to be provided for sensitive or confidential records or information.
- Make an initial damage assessment with recovery team members to note the volume, type, and formats of records damaged and undamaged, extent and type of damage, and to photograph or videotape the damage. This information will be important for insurance or audit purposes. Identify any secondary threats triggered by the initial emergency.
- Establish communications by preparing an initial report to management, and notifying staff, outside agencies as appropriate, and vendors that may be needed to assist with recovery efforts, including your Regional Archivist. Poor communication is one of the biggest complaints after an incident. Make use of a phone tree, automated emergency notifications, Twitter, texting, etc., in accordance with agency policies.

Specific responses will vary depending on the nature and extent of the emergency. The anticipated actions, supplies, priorities, and recovery options for various disaster scenarios will be detailed in your agency REAP. Having this information nearby will allow you to make fast and accurate decisions to stabilize the environment, minimize damage to the materials, and allow the maximum quantity to be salvaged in a manner that reduces restoration costs. Decisions are needed regarding:

1. **Stabilizing the environment.** Is the building structurally sound? Can it be stabilized and returned to use quickly? If there is water damage, continued high humidity will be a concern. Humidity will exacerbate existing damage to records and facilitate mold growth on records that were not damaged. Lower the temperature and relative humidity immediately. Increase air circulation. If there are signs of mold, point fans at the ceiling to avoid spreading mold spores. Segregate molding records from clean ones. Mold may also grow when there has been an extended period without the heat on. If hazardous materials are involved, you should bring in professionals.
2. **Prioritizing recovery efforts.** Can agency staff handle the amount of records damaged or will outside resources be required? What is the extent of damage and value of the records? Will you need a preservation or data recovery specialist?
Assess the extent of the damage. The length of exposure to water, heat, chemicals, etc. may make some media or records unrecoverable. They may have to be abandoned in order to save other materials. Prioritizing records recovery will depend on several factors:

- First priority includes: Records with medium damage need the earliest treatment. Materials that are difficult or impossible to replace or replicate. Essential records that are not duplicated elsewhere and those needed immediately. Permanent records.
- Second priority includes: Records with minor damage, as they can wait a bit longer. Records that are difficult to replace. Records that provide significant operational or research value but are not needed immediately. Records that are not duplicated elsewhere.
- Third priority includes: Records with extensive damage, as chances of salvage are low and costly. Materials that can be replaced, are duplicated elsewhere, or that can be considered obsolete or expendable.

Some types of media require prompt action in order to recover information successfully. If essential records are stored on media such as hard drives, magnetic tapes, parchment, and some photographic material, this should be taken into consideration when establishing salvage priorities.

3. **Stabilizing the records and averting further damage.** Refer to your REAP for information compiled on options including dehumidification, freezing, drying, decontamination, mold remediation, media and data recovery, and transporting records. Factors to consider include the volume of damaged records, types of media, degree of damage, accessibility required, and funding available.
4. **Determining what resources are required.** Assemble the supplies, personnel, and/or contractors needed. Your REAP should contain lists of supplies already on hand, contracts already in place, and contact information for other vendors and suppliers.

3.18.040 RECOVERY.

Although recovery efforts will be based on your Records Emergency Action Plan, specific recovery actions will be fine-tuned based on actual circumstances. It is important to plan, but be flexible. Ideally, individuals handling damaged materials should do so under the direction of professionals.

Recovery efforts are those actions and treatments that will restore records to a useable state and allow the agency to resume operations. Before you begin, consider the following:

1. **Do not start removing records without a plan.** You need to know what was there, whom it belonged to, where it has gone, and what happened to it. Tracking should be done at the box level, including:
 - owner (department) of record, record series, inclusive dates
 - original office location (i.e. file cabinet, shelf, drawer, etc.)
 - type of damage (water, fire, contaminant)
 - response priority
 - where it went (temporary storage, recovery, disposal, etc.)
 - actions performed, and by whom
2. **Plan for how to pack records out.** Use the priorities established after the damage assessment. Avoid moving and storing records with no further value, if possible, although

they may need to be moved out of the way for reconstruction or repair of the facility. Undamaged records that were in an environment conducive to mold may be refused admittance to a records storage facility. Your REAP should contain information on the appropriate containers, supplies and/or vendors required for packing out.

3. **Stress safety.** Always work in pairs. There may be hazards such as water-soaked carpets or slippery floors. Watch for extension cords or other electrical wires touching water and avoid that area! Watch for sparks and broken or frayed wires. Leave if you smell gas or hear a blowing or hissing noise. Be alert for the smell of burning insulation. Contamination due to sewage, PCBs and mold are dangers. Have the site tested if necessary. Wear protective gloves, footwear, hats, masks, respirators*, etc. as needed. Be aware of anyone who has a compromised immune system or allergies. Wet records expand in size and weight, so lift smaller quantities than you normally would. Carry a light source.

**The use of respirators in the workplace is governed by OSHA regulation CFR 1910.134., requiring employees to be fit-tested by a trained individual.*

Recovery Precautions

Several precautions are important during initial recovery procedures. In general,

Do not:

- mix damaged records with records that have not been damaged
- wipe mud or dirt off the materials
- open or close wet books
- separate loose materials or single sheets if stuck together
- remove covers from soaked materials
- disturb or press wet books, paper, file boxes, prints, drawings, and photographs
- move fire-damaged records without using toweling or clean newsprint to support the pieces

Do not walk on debris under which records may be located. Such treatment can destroy the materials or increase the cost of restoration.

Fire drawers containing wet records may be difficult to open due to swelling. Forcing them open may cause additional damage.

Use caution when handling file cabinets that have been subjected to intense heat. Documents in file drawers have been known to spontaneously ignite up to 72 hours after a fire when the drawers are reopened. Have an appropriate fire extinguisher ready in case of such an event.

If documents are only wet around the edges (i.e. the paper was in a box), air drying may be best. If there is extensive water damage, you need to decide between:

- Physical rehabilitation of the documents, OR
- Destroying these and creating new originals from back-ups (replacement)

If documents are soaked (i.e. papers that were stacked on a desk), use freeze-drying to prevent them from sticking together. Remember, wet records will tear easily.

Some materials should be kept wet until they can be recovered by a contractor who specializes in the recovery of those materials. Examples include microfilm, motion picture film, flash drives, and hard drives from computers. Seal them in plastic and do not let them dry out.

If outside contractors are used to assist with staging and recovery, continued oversight of their procedures is required, and good lines of communication are critical.

3.18.050 POST RECOVERY.

Records that have been damaged will never return to their original condition. Water and humidity may cause paper to curl, wrinkle, and swell. Ink may run. Mold damage may occur. Dried records will have a larger volume than before the damage. More file space will be needed than before.

If there was mold or the potential for mold, the storage area should be sterilized to destroy any mold and inspected for any signs of residual moisture or mold. Maintain a stable temperature (50 to 60 degrees F) and relative humidity (35 to 45 percent). Higher temperatures and humidity will promote mold growth, particularly in previously damaged or moldy records. For at least one year following the event, schedule regular inspections to check a random sampling of the records for any signs of mold.

Conduct an analysis of the event and prepare a detailed after-action report:

- Identify the cause of the emergency and whether any precautions can be implemented to avoid a recurrence.
- Meet with team members regarding lessons learned. What went right and what went wrong?
- Identify any parts of your Records Emergency Action Plan that need to be updated or changed.
- Make note of any suppliers, contractors, or facilities that proved inadequate.

In addition, prepare a separate post-event report to summarize and document the incident, response, and recovery.

3.18.060 RESOURCES.

The "Essential Records Manual" is available from your Regional Archivist or the Secretary of State's Division of Archives and Records Management. They can also provide training, additional information about specific recovery techniques for various types of records, and emergency assistance during a records disaster. They can be reached at:

Washington State Archives: www.sos.wa.gov/archives/recordsmanagement

Phone numbers for Regional Archivists are listed in Section 9.08.040 herein, or contact the Washington State Archives at (360) 586-1492, or the Division of Archives and Records Management at (360) 586-0108.

The following organizations also offer training and/or resources for emergency planning:

- Council of State Archivists (CoSA), including the IPER Project (Intergovernmental Preparedness for Essential Records): www.statearchivists.org
- Federal Emergency Management Agency (FEMA): www.fema.gov
- Washington Military Department – Emergency Management Division: www.emd.wa.gov
- ARMA International (Association of Records Managers and Administrators), which also has local chapters: www.arma.org
- NAGARA (National Association of Government Archives and Records Administrators): www.nagara.org
- Heritage Preservation: www.heritagepreservation.org (check on their Field Guide and Salvage Wheel among other resources)
- Northeast Document Conservation Center: www.nedcc.org (check on their dPlan™ tool among other resources)
- National Fire Protection Association, Standard for the Protection of Records: NFPA 232 www.nfpa.org