

**Public Records Committee (PRC)**

Via Microsoft Teams

March 15, 2022

3:30 – 4:15 pm

Attendance: All attendees joined the meeting remotely. Below are the attendees of the meeting:

Organization	Names
Adult & Juvenile Detention (DAJD)	Andrea Williams
Assessor's Office (DOA)	
Community & Human Services (DCHS)	Alex Conn, Jennifer Guy
District Court (KCDC)	
Elections	
Executive Services (DES)	Cindy Cawaling
Executive Services: Records and Licensing (DES RALS)	
Executive Services: Records and Licensing, Archives, Records Management, & Mail Services (DES RALS ARMMS)	Ellie Rhodes, Valerie Vega
Executive Services: Office of Risk Management Services (DES ORMS)	Shelby Miklethun (vice-chair)
Human Resources (DHR)	Anna Heinrichs
Information Technology (KCIT)	Lorre Wijelath, Megan Mason, Tim Morrow
Judicial Administration (DJA)	Danielle Anderson
King County Council (KCC)	Janet Masuo, Craig McMurdo
Executive Office (KCEO)	Kaitlyn Wiggins
Local Services (DLS)	Greg Felton, Margo Christianson
Metro Transit (MTD)	Caroline Darrow, Mirla Santiago
Natural Resources & Parks (DNRP)	Sara Fitzgibbons
Prosecuting Attorney (PAO)	
Public Defense (DPD)	Mon-Cheri Barnes
Public Health(DPH)	Charlotte Nickels
Sherriff's Office (KCSO)	Kimberly Petty
Superior Court (KCSC)	

1. Introductions

Shelby Miklethun called the meeting to order at 3:30 p.m. Mon-Cheri Barnes the new ARO for DPD was introduced and welcomed.

2. Approval of Minutes

Shelby called for a motion to approve the minutes from February 15, 2022. Andrea Williams made the motion for approval and Sara Fitzgibbons seconded the motion. The minutes were approved by unanimous vote and Shelby's alacrity with this item was noted.

3. Privacy Program Update

The consultant contract was signed and there was much rejoicing. The kickoff will be approximately April 15<sup>th</sup>. Lorre had a meeting to start planning the project. Playbooks will go out to all stakeholders very soon.

4. Public Records Program Update

Currently, the program is short staffed and financial disclosure is a high priority. Two program staff will be away for leave and continuous improvement work, respectively. Stephanie Santos will be gone through the end of the year. Pending funding, this may continue into 2023, however she will be available to help train. There is an open position for work with databases, e-discovery, technical assistance, etc. This work is a good opportunity for building public records skills. Shelby is also open to any public records officers who want to assist with the burden. Because Elections is onboarding to GovQA, this is an excellent time to jump in. Contact Shelby directly for e-discovery requests and GovQA onboarding. There is a GovQA cost.

5. Transitory Chats Retention

This was initially an item under the Public Records Program Update and KCIT Related Updates. The conversation was very involved.

Chats are transitory records and have no retention period. When the county used Skype for messaging, the chats were not retained at all. This was not an option when moving to Teams. The county opted for a 24-hour retention period for the chats, although Microsoft guaranteed they would be disposed after 72 hours. The Public Records Program and KCIT recently learned that because chats are associated with email accounts, they are retained longer than initially thought. Deleted chats join deleted emails in a deleted items box, which is only available for administrators and e-discovery users. If an entire account is under hold, the chats are included in this. This is surprising and unwelcome news to all involved.

Microsoft does not mandate the retention for this recovery box and it can be changed. However, the recovery box is frequently used for email recovery and changing the retention could have public records request repercussions.

Standard messaging for this issue was discussed at length. At this point, KCIT is not sending a standard message for the problem because:

- access to these records is limited,
- things may change a lot very soon,
- there are many unknowns, and
- KCIT is working with Microsoft on this and the retention of other Teams items.

Some expressed disappointment at the lack of standard messaging for reasons which include:

- From a privacy perspective, chats have information between colleagues that they may not want to be retained,
- All were alerted about the 24 hour chat retention; for transparency all should be alerted that this is not the case; and
- it is KCIT's responsibility to ensure this retention.

Essentially, sending a message is not a good option from a technological point of view, but it is from a public records one. Individual departments and offices may send alerts on this issue as needed. It was recommended that any communications should include the fact that chats are transitory records and have no retention.

Tim Morrow does not disagree with any of the support for standard communications. He will look into retention change options to present to the PRC. Shannon Smith will be involved in this and standard communications will be considered.

Shelby stated that the PRC can change retention periods.

#### 6. Social Media Follow Up

Using personal social media accounts for work was discussed at the last meeting. Most notably, there is a gray area with 1) LinkedIn posts made with personal accounts for county business and 2) county accounts reposting personal posts. Lorre requested further guidance on the social media policy, such as who is responsible for ensuring employees know their risks and rights regarding social media and county business. There are definitely grey areas regarding personal accounts being subject to disclosure and the person's role in the organization needs to be analyzed, along with the type of post they make. For example, a LinkedIn post made by a recruiter using an account paid for by the county can easily fall in the parameters of a public record. And employee using a personal Twitter account to say they had a bad day at work clearly falls outside the parameters. It is not possible to break down guidance for every type of social media post, but more examples can be provided. KCRIGG will take this issue on to determine how it should be addressed. Lorre pointed out this should be brought up in onboarding, especially for those who haven't worked for local WA government. Guidance can also be requested from the PAO. Employees should also note that their department's social media policy may be more restrictive than the county's general one.

#### 7. ARMMS Update

- The [Records Management Program Highlights](#) shows metrics from Content Manager that the RMP is tracking. This link was shared last week. These numbers should be useful statistics for RM and RM improvement. It is not intended to compare departments against each other because the work they do is so different. However, all departments should work to a 100% goal for the basic RM trainings.
- News and information about the archives vacancies and their CIP is expected at the next PRC meeting.
- KCRIGG - Cynthia introduced KCRIGG to the Privacy Working Group. The group is working on a status for considering issues and workflow for items – such as when to meet vs when an item can be covered in email. Or, which parties should be considered, i.e. from the PAO or HR.

#### 8. KCIT Related Updated

The plan to automatically grant managers and supervisors access to departed employees' records and emails for two weeks is on hold from HR. This process complicates employee investigations, especially if the departed employee is related to the supervisor's being under investigation. This creates a very uncomfortable situation. Investigations can be flagged and

filtered, but not receiving access to the records can alert supervisors to the fact that they are under investigation.

The retention of Teams meetings recordings is resolved. They are kept for 20 days.

9. Good of the Order and Summarize Take-away Messages

- The Privacy contract was signed and more work will be started soon.
- There are open Public Record Program opportunities which can have mutually beneficial experience and assistance.
- Contact Shelby directly for e-discovery requests and onboarding.
- Tim Morrow is working within KCIT regarding the chat retention issues. He will give updates as needed.
- KCRIGG is taking on the social media and personal accounts thing. All are encouraged to check their department's social media policy.
- April is Record Management Month and the RMP is planning a network meeting, newsletters, surveys, etc. This is a good time to encourage records training, etc.

The meeting adjourned at 4:12 p.m.