

Technical Advisory Group

PRESERVATION AND DISCLOSURE OF PUBLIC RECORDS (RCWs 40.14, 42.56 and City Code 2.26)



RCW 40.14.100

"Public records" shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the State of Washington in connection with the transaction of public business, and legislative records as described in RCW 40.14.100.

Key Points

- Any records you create or receive while serving as a member of the TAG should be provided to the City as a public record.
- No responsive records can be deleted or destroyed once a public records request has been received and until the request has been completed.
- Include staff on any email sent related to the business of the TAG for them to manage as a City record.
- If you have any questions, please ask!

Key Concepts for Records Preservation—What is a Record

1. "Made by or received by any agency in the State of Washington"

Public records include both the records that an agency creates and those that it receives or collects.

2. "In connection with the transaction of public business"

A record provides proof or evidence of agency business including the development of policy, and documentation of meetings or activities.

3. "Regardless of physical form or characteristics"

A record is judged by its content and context described in the two criteria above. Any information created or received related to City Business must be retained based on City records retention periods, and state law.

Records Management Requirements and Guidelines

Most materials related to the Affordable Housing TAG will be provided to you by City staff and will only be a copy that can be returned or recycled once you no longer need it for reference. Record copies will be retained within City systems. Your notes or additional research may be a public record with retention requirements. Please coordinate with staff if you have any questions on how to transfer them to us, or if you need additional guidance.

Answers to frequently asked questions:

What is the difference between a primary copy and secondary copy of a public record? A secondary copy is an exact replica of the primary copy, meaning there are no notes or alterations, and can be destroyed when no longer needed. Primary copies must be sent to the City Clerk's Office to be retained and transferred to the State Archives.

How should I manage emails received about the TAG? Email traffic related to the TAG should be minimal. Make sure Mike Kattermann (mkattermann@bellevuewa.gov) is included on any correspondence, or forward messages to him for recordkeeping.

More information can be found online at:

<http://www.atg.wa.gov/OpenGovernmentTraining.aspx>