**Public Records Committee (PRC)**

Skype

April 7, 2020

3:30-4:30 pm

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

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| --- | --- |
| Organization | Name[s] |
| Adult & Juvenile Detention |  |
| Assessor’s Office |  |
| Community & Human Services | Alex Conn, Jennifer Guy |
| District Court |  |
| Elections |  |
| Executive Services | Cindy Cawaling |
| Executive Services/RALS/ARMMS | Dani Boucher, Ellie Browning, Deb Kennedy, Valerie Vega, Ryan Wadleigh |
| Executive Services: Office of Risk Management Services | Shelby Miklethun, Stephanie Santos |
| Executive Services: Records & Licensing Services | Norm Alberg (chair) |
| Human Resources |  |
| Information Technology (KCIT) | Syrena Ogden, Shannon Smith |
| Judicial Administration |  |
| KC Council | Janet Masuo |
| KCEO |  |
| Local Services | Jonathan Bibler, Cheryl Binetti, Margo Christianson, Craig McMurdo |
| Metro Transit | Mirla Santiago |
| Natural Resources & Parks | Cynthia Hernandez (vice chair) |
| Prosecuting Attorney |  |
| Public Defense | Alex Harris |
| Public Health |  |
| Sheriff’s Office | Kimberly Petty |
| Superior Court |  |

1. Introductions

Norm Alberg called the meeting to order at 3:30 pm. All present were identified and confirmed.

1. Approval of Minutes

Norm Alberg called for a motion to approve the minutes from January 14, 2020 and February 25, 2020. Ellie Browning made the motion and Deb Kennedy seconded the motion.

1. Work Plan Review and near-term planning

Cynthia Hernandez continued the 2020 PRC work plan discussion focusing on productive activities. The draft plan was posted on the PRC SharePoint site for review and additions; the initial workplan development would have ideally been more interactive. Additions were minimal, assumedly because of the corona virus response, which is the priority. The file was corrupted for a few members. All PRC members are expected to sign up for at least one part of the work plan. They should contact Cynthia to work new issues into the plan. Norm Alberg encouraged all to work expiring policies into their workload and work plan. DNRP has the most public rules to be updated. Cynthia has a [three-part test](https://kc1-portal5.sharepoint.com/records/Shared%20Documents/PRC%20Meeting%20Packets/2020%20Meetings/2.98RULESOFKCAgencies%20(1).docx) to determine if a policy meets the criteria for public policy, that she will share with the committee.

Norm Alberg gave extensive kudos to Cynthia, for her great work on the PRC.

Using Zoom was discussed. Shannon Smith suggested working with your customer success manager for Zoom pursual.

During the public records program update (below, item 6), Cynthia noted that she would add a new issue - an after-action review of the coronavirus response.

1. PRC/KCIT – PII Workgroup Update

Alex Harris gave an update on the workgroup. Workgroup meetings and planned deliverables are on hiatus. The last meeting was in January and summarized in the February 25, 2020 PRC minutes. Alex is communicating with the KCIT partners about activity and future meetings. The KCIT priority is the corona virus response, which will affect the privacy workgroup status. The City of Seattle privacy officer plans on attending the next in person workgroup meeting. Alex Harris will reach out to her about the city’s privacy toolkit. The county has hired a privacy officer, who is expected to start within a month. Alex Harris requested corona virus related privacy issues be sent to her. Standardizing HIPAA training was discussed.

A recent Washington state privacy bill did not pass.

1. Records Management Check in

Ellie Browning and Ryan Wadleigh gave a records management status update. They reminded the PRC membership that this is a good time for employees to catch up on records management responsibilities, while telecommuting as part of the corona virus response. The Records Management Program has posted [a guide to managing records while teleworking](https://kingcounty.gov/~/media/depts/records-licensing/records-management/RMGuidance/Managing-Records-While-Teleworking.ashx?la=en) on their website. There has been a 20% increase in Content Manager filing since many employees are teleworking under the virus response. This is also a good time for Agency Records Officers to complete the [Records Management Self Assessment](https://www.proprofs.com/survey/t/?title=records-management-agency-assessment-officer). More than 600,000 records have been filed by 250 users since Content Manager went live October 7, 2019. Now that Content Manager is operational the CM migration project is closing. Sections without an agency specific retention schedule can still file records. They have to complete the [onboarding form](https://kingcounty.gov/depts/records-licensing/records-management/cm/access.aspx) to gain access to the system. Content Manager can be used completely remotely.

Ryan Wadleigh is developing report samples for department heads and AROs, regarding Content Manager use. A pilot sample will be sent out.

Deb Kennedy is managing the annual report process and is hoping for a timely transmittal to the council. The annual report has three parts. The first a summary of committee activities. The second is to report how the county uses digital communications technology. The third part is from the public records officers, regarding the public records requests they have received and responded to over the year. The Public Records Officer's report is due to Deb as the representative of the PRC Chair no later than July 1st. Shelby Miklethun stated that for those who do the reports, many will need to turn in data that was transmitted to State's Joint Legislative Audit and Review Committee (JALRC). In May, Deb will reach out regarding digital communications. The PRC Annual Report is due to Council on August 15th.

1. Public Records Program Update

Shelby Miklethun gave a public records program update. The Equity Impact Review work is still moving along, but the corona virus has affected the anticipated pace. Again, the virus response is the priority. Shelby asked PRC member to please complete their review of the Public Records Act Compliance policy and return the review forms by May 1st. The way to handle corona virus responses needs to be managed; searches have turned up 80+ million records. Governor Jay Inslee signed a proclamation, that, through the April 23th, there can be no in person public records act reviews. Only electronic records can be reviewed until normal staffing resumes. The five-day requirement has been extended, but we still work within the five-day period. Meetings and topics under OMPA need to be by phone. Council meetings happen by phone. OMPA covered entities need to only be about the corona virus response, or routine normal business. New issues are paused.

The legislative session is over. One major public records act bill, signed by Governor Inslee, will go into effect June 11th.

Regarding requests about county employees, the month and year of employee birthdays, as well as personnel file photos will be exempt from requests, unless requested by the media. Deductions will also be exempt. The employee and the employee’s union will be alerted if any information about the employee’s personnel is found in a public records search. The two types of mandatory notice are regarding the employee personnel file and regarding investigation files (such as harassment allegations). Apart from mandatory notice, the departments use their discretion to determine to provide notice is when the records are released, or before.

GovQA implementation is on hold until mid-May 2020, to allow staff corona virus response prioritization, and not focus on learning a new system.

1. Summary / Takeaway Messages
   1. All – look at the workplan, and signup for one activity. Add meaningful items to the workplan if applicable.
   2. Cynthia will add a coronavirus after-action review to the work plan.
   3. Shelby will update the public records officer’s section on the work plan.
   4. All - update, or address, your expiring public policies.
   5. Cynthia will share the three-part test, to identify if a Guidance document meets the 3-part test established in code for public rules.
   6. Alex will follow up with the City of Seattle regarding their privacy toolkit.
   7. Alex will continue to manage the privacy workgroup meetings and determine if they should be in person.
   8. Alex Harris will reach out to KCIT regarding a standardized HIPAA training, or centrally locating an existing standard training.
   9. All – celebrate Records Management month.
   10. Deb Kennedy will add three new elements to policy writing guidance: environmental considerations, ESJ, and privacy considerations.
   11. Deb Kennedy will manage the annual report.
   12. Throughout the meeting, kudos and accolades were generously given, regarding the committee’s devotion to maintaining public records through a crisis.
2. Adjourn

The meeting adjourned at 4:23 p.m.