

Policy Name: Texting and Instant Messaging
Section: 3000 Operational: 3100 Administrative
Policy Number: 0000

Purpose: To outline and regulate the use of text messaging and instant messaging for District business.

Reference: This policy supersedes the cell phone use policy adopted by Resolution 2016-17.

Policy:

Any text or instant message (IM) that has been sent or received by employees in connection with the transaction of District business is a public record that must be retained in accordance with Washington State Archives retention schedules and records retention laws. [RCW Chapter 40.14](#) contains regulations for the retention, preservation and lawful destruction of public records. Records must be managed according to the applicable Washington State Archives retention schedules and may be subject to disclosure under [RCW Chapter 42.56](#) the Public Records Act. The retention period for public records depends on the function and content of the record, not its format or method of transmission. A text or IM sent or received by an employee that relates to District business is a public record regardless of whether the device used is owned by the District or the employee.

Employees are prohibited from using personal devices or accounts to text or IM for District related business.

Text and IM are to be used only for transitory messages with a short-term retention value that can be destroyed when no longer needed for District business. The Washington State Archives defines “transitory records” as those which “only document information of temporary short-term value,” provided that the records are: 1) not needed as evidence of a business transaction; and 2) not covered by a more specific records retention series.

When communications that are more than transitory are necessary, such communications shall occur in person, by telephone, or by email but not by text or IM. Text and IM will not be used to provide any working direction to staff which is not documented in some other form for retention purposes.

The following is intended to help manage the texts and IMs sent or received regarding District business:

- a. Employees may use text and IM for transitory messages only. Examples include informal notices of meetings, directions, scheduling information, and other routine messages which do not relate to the functional responsibility of the agency.
- b. Text and IM may not be used to send policy, contract, formal correspondence, or personnel related data. Sensitive information should not be sent by text or IM, (e.g. social security numbers, credit card numbers, passwords, etc.).
- c. Transitory messages should be deleted as soon as possible.
- d. If transitory messages do exist at the time a public records request is submitted to the agency, they may be responsive and if so need to be retained and produced.

All employees have records management responsibilities for business-related texts and IMs they send and receive and may be asked to identify records responsive to public disclosure or discovery requests.

Use of text or IM that is not in accordance with this policy is grounds for disciplinary action up to and including termination.