

## **This schedule applies to: Human Rights Commission**

### **Scope of records retention schedule**

This records retention schedule authorizes the destruction/transfer of the public records of the Human Rights Commission relating to the unique functions of eliminating and preventing discrimination through complaint investigation, alternative dispute resolution, community partnerships, education, and outreach. The schedule is to be used in conjunction with the *State Government General Records Retention Schedule (SGGRRS)*, which authorizes the destruction/transfer of public records common to all state agencies.

### **Disposition of public records**

Public records covered by records series within this records retention schedule (regardless of format) must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of state resources.

Public records designated as “Archival (Permanent Retention)” must not be destroyed. Records designated as “Archival (Appraisal Required)” must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency’s policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with chapter 42.56 RCW. Such public records must be managed in accordance with the agency’s policies and procedures for public records requests.

### **Revocation of previously issued records retention schedules**

All previously issued records retention schedules to the Human Rights Commission are revoked. The Human Rights Commission must ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

### **Authority**

This records retention schedule was approved by the State Records Committee in accordance with RCW 40.14.050 on June 2, 2021.

*Signature on File*

**For the State Auditor:  
Al Rose**

*Signature on File*

**For the Attorney General:  
Suzanne Becker**

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**For the Office of Financial Management:  
Gwen Stamey**

*Signature on File*

**The State Archivist:  
Steve Excell**

## REVISION HISTORY

Version	Date of Approval	Extent of Revision
1.0	June 2021	Consolidation of all existing disposition authorities (with some minor revisions).

For assistance and advice in applying this records retention schedule,  
please contact the Human Rights Commission's Records Officer  
or Washington State Archives at:  
[recordsmanagement@sos.wa.gov](mailto:recordsmanagement@sos.wa.gov)

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## 1. INTAKE

This section covers records relating to reviewing initial inquiries made to the agency prior to the investigative process.

### 1.1 INITIAL INQUIRIES

*The activity of processing incoming communications and complaint forms.*

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
90-06-46637  Rev. 1	<p><b><i>Complaint Inquiries</i></b></p> <p>Records relating to incoming correspondence and/or complaint forms inquiring as to the agency's jurisdiction.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Emails;</li> <li>• Faxes;</li> <li>• U.S. Mail, Certified Mail, UPS Ground, FedEx;</li> <li>• Call logs and monthly totals;</li> <li>• Incomplete or unreturned complaint forms;</li> <li>• Agency Notification Letters;</li> <li>• Completed forms deemed non-jurisdictional during intake process;</li> <li>• Referrals from outside agencies;</li> <li>• Tracking logs for outgoing complaint forms.</li> </ul>	<p><b>Retain</b> for 3 years after final commission action <i>then</i> <b>Destroy.</b></p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

## 2. INVESTIGATIONS

This section covers records relating to the investigation process under the authority of the Washington Law against Discrimination.

### 2.1 DISCRIMINATION CASES

*The activity of investigating complaints of alleged discrimination to determine whether or not there is reason to believe that discrimination occurred.*

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
21-06-69634 Rev. 0	<p><b><i>Investigation File – No Reasonable Cause; Administrative Closure; Withdrawal; No Jurisdiction; Pre-Finding Settlement</i></b></p> <p>Records relating to information and evidence gathered during the investigation and reconsideration process.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Intake questionnaire;</li> <li>• Signed complaint;</li> <li>• Case activity log;</li> <li>• Agency Notification Letters;</li> <li>• Any related correspondence received by any party or their representative;</li> <li>• Respondent’s response to allegations;</li> <li>• Evidence submitted to support party statement and/or allegations (including but not limited to images, video, or witness statements);</li> <li>• Investigator notes, memos, searches, and interviews leading to finding of fact;</li> <li>• Statement from complainant (or their representative) requesting withdrawal of complaint;</li> <li>• Investigative finding and case memorandum;</li> <li>• Settlement agreement details and board order;</li> <li>• Request for reconsideration.</li> </ul>	<p><b>Retain</b> for 6 years after final commission action <i>then</i> <b>Destroy.</b></p>	NON-ARCHIVAL NON-ESSENTIAL OPR

**2.1 DISCRIMINATION CASES**

*The activity of investigating complaints of alleged discrimination to determine whether or not there is reason to believe that discrimination occurred.*

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
77-07-19726 Rev. 1	<p><b><i>Investigation and Conciliation File – Referred to Attorney General’s Office</i></b></p> <p>Records relating to cases with reasonable cause findings where conciliation efforts have failed and the case has been referred to the Attorney General’s Office.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Intake questionnaire;</li> <li>• Signed complaint;</li> <li>• Case activity log;</li> <li>• Agency Notification Letters;</li> <li>• Any related correspondence received by any party or their representative;</li> <li>• Respondent’s response to allegations;</li> <li>• Evidence submitted to support party statement and/or allegations (including, but not limited to, images, video, or witness statements)</li> <li>• Investigator notes, memos, searches, and interviews leading to finding of fact;</li> <li>• Reasonable Cause Investigative Finding;</li> <li>• Damages;</li> <li>• Conciliation efforts;</li> <li>• Investigative finding and case memorandum;</li> <li>• Certification of file;</li> <li>• Election letter for civil action.</li> </ul>	<p><b>Retain</b> for 6 years after final commission action <i>then</i> <b>Destroy.</b></p>	<p>NON-ARCHIVAL <b>ESSENTIAL</b> (for Disaster Recovery) OPR</p>

## 2.1 DISCRIMINATION CASES

*The activity of investigating complaints of alleged discrimination to determine whether or not there is reason to believe that discrimination occurred.*

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
77-07-19730 Rev. 1	<p><b><i>Investigation and Conciliation File – Conciliation Agreement</i></b></p> <p>Records relating to cases with reasonable cause findings that were successfully conciliated.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Intake questionnaire;</li> <li>• Signed complaint;</li> <li>• Case activity log;</li> <li>• Agency Notification Letters;</li> <li>• Any related correspondence received by any party or their representative;</li> <li>• Respondent’s response to allegations;</li> <li>• Evidence submitted to support party statement and/or allegations (including, but not limited to, images, video, or witness statements)</li> <li>• Investigator notes, memos, searches, and interviews leading to finding of fact;</li> <li>• Reasonable cause investigative finding;</li> <li>• Damages;</li> <li>• Conciliation efforts;</li> <li>• Conciliation agreement and board order;</li> <li>• Investigative finding and case memorandum.</li> </ul>	<p><b>Retain</b> for 6 years after final commission action</p> <p><i>then</i></p> <p><b>Transfer</b> to Washington State Archives for appraisal and selective retention.</p>	<p><b>ARCHIVAL</b> (Appraisal Required) <b>ESSENTIAL</b> (for Disaster Recovery) OPR</p>

## GLOSSARY

### ***Appraisal***

The process of determining the value and disposition of records based on their administrative, legal, and fiscal use; their evidential and informational or research value; and their relationship to other records.

### ***Archival (Appraisal Required)***

Designation for public records that may possess enduring legal and/or historical value and must be appraised by the Archives. Such records are to be evaluated, sampled, and weeded according to archival principles by Archives staff. Records appraised as non-archival may be destroyed after their retention has been met.

### ***Archival (Permanent Retention)***

Designation for public records that possess enduring legal and/or historical value and must not be destroyed. State government agencies must transfer these records to the Archives at the end of their minimum retention period. Local government agencies must either transfer these records to the Archives or retain and preserve them according to archival best practice until transferred to the Archives. Other than removing and disposing of duplicates, the Archives will not sample, weed, or otherwise dispose of records with this designation.

### ***Disposition***

Actions taken with records when they are no longer required to be retained by an agency. Possible disposition actions include transfer to the Archives and destruction.

### ***Disposition Authority Number (DAN)***

Control number for a specific records series in a retention schedule that authorizes a retention period and disposition action for records belonging to that series.

### ***Essential Records***

Public records that agencies must have in order to maintain or resume business continuity or to document the legal standing and rights of individuals and organizations. While the retention requirements for essential records may range from very short-term to archival, these records are necessary for an agency to resume its core functions following a disaster. Security backups of these public records should be created and may be deposited with the Archives in accordance with chapter 40.10 RCW. Copies of master indexes, lists, registers, tracking systems, databases, and other finding aids should also be transferred with the records.



### **Local Records Committee**

Committee established by RCW 40.14.070 to review and approve disposition of local government records through records retention schedules. The Committee's three members include the State Archivist and one representative each from the Office of the Attorney General and the State Auditor.

### **Non-Archival**

Designation given to public records that do not possess sufficient historical value to be designated as "Archival." Agencies must retain these records for the minimum retention period specified by the appropriate current records retention schedule. Agencies should destroy these records after their minimum retention period expires, provided the records are not required for litigation, public records requests, or other purposes required by law.

### **Non-Essential Records**

Public records which are not required in order for an agency to resume its core functions following a disaster, as described in chapter 40.10 RCW.

### **OFM (Office Files and Memoranda)**

Public records not defined and classified as official public records in RCW 40.14.010 and other documents or records as determined by the records committee to be office files and memoranda.

### **OPR (Official Public Records)**

Public records necessary to document transactions relating to public property, public finances, and other agency business, or records determined by the records committee to be official public records.

### **Public Records**

Records that have been created or received by any government agency in Washington State in connection with the transaction of public business regardless of physical form or characteristics.

### **Records Series**

A group of records performing a specific function, which is used as a unit, filed as a unit, and may be transferred or destroyed as a unit. A records series may consist of a single type or a number of different types of documents that are filed together to document a specific function.

### **State Records Committee**

Committee established by RCW 40.14.050 to review and approve disposition of state government records. Its four members include the State Archivist and one representative each from the Office of the Attorney General, Office of the State Auditor, and the Office of Financial Management.

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*See the State Government General Records Retention Schedule for additional "Archival" records.*

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