

## ELECTRONIC DOCUMENTS RETENTION

### POLICY #6

February 29, 2024

The Electronic Document Retention Policy of the Mendocino Coast Health Care District governs the retention of text messages, voicemail messages, social media posts, and email messages sent or received in the conduct of District business.

#### **Article 1. Definitions**

- a) Email Message: An electronic communication sent and received via web mail or email client.
- b) Social Media: Information posted to websites and applications that enable users to create and share content or to participate in social networking, e.g. *Facebook, X (Twitter), Instagram, Snapchat, and LinkedIn.*
- c) Text Message: An electronic, written communication sent and received via telephone or Internet connection.
- d) Voicemail Message: An electronic, aural communication sent or received via telephone or Internet connection.

#### **Article 2. Text Messages, Voicemail Messages, and Social Media**

Text messages, voicemail messages, and social media posts not saved to an archive or a more permanent medium are intended to be ephemeral documents, not preserved in the ordinary course of business. Accordingly, they do not constitute disclosable public records, as that term is defined by Government Code section 6252, subdivision (e). Directors and District staff are not required to retain these electronic documents. Business done on behalf of the District that requires the creation and preservation of records should be conducted in other media.

#### **Article 3. Email Messages**

- a) Email messages sent or received by the District's computer systems from the date this policy is adopted will be preserved for two years and made available for public inspection on the same terms as other District records.
- b) Except as provided in 3c) below, Directors and District staff are required to use (or copy to an address on) the District's computer systems for all email messages regarding District business. Such email messages fall within point 1 above, i.e., they will be preserved for two years and made available for public inspection on the same terms as other District records.

c) The District will continue to comply with Government Code § 54957.5 which deems to be a public record any document communicated to a majority of the Directors, whether at the same time or seriatim, with respect to an item of District business regardless of the means of that communication, including via non-District email accounts. Directors are encouraged to forward such email messages not received by the District's computer systems nor copied to its staff or to an email address designated for that purpose so they can be preserved in the District's email retention system, relieving individual Directors of any duty to preserve such email messages or make them available for public inspection.

d) This policy applies only to the conduct of District business that is subject to the Public Records Act. It has no application to communications to or from Directors in their other public and private capacities or communications to or from District staff that are personal, private or otherwise not District business.

**Approval Signatures:**

  
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Chair, Board of Directors

Feb 29, 2024  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Secretary, Board of Directors

Feb 29, 2024  
\_\_\_\_\_  
Date