



# ADMINISTRATIVE POLICY

<b>SECTION:</b> 600 – Information Technology	<b>POLICY#:</b> 608
<b>TITLE:</b> Recording of Meetings	<b>R &amp; O #:</b> 23-58
	<b>IMPLEMENTED BY PROCEDURE #:</b> 608
<b>SPONSORING DEPT/DIV:</b> County Administrative Office and Information Technology Services	
<b>ADOPTED:</b> 9/26/2023	<b>REVIEWED:</b>

**PURPOSE:** The purpose of this policy is to set forth Washington County’s expectations of its workforce members regarding the use of personal or County assigned and controlled technology to record meetings in the course of conducting County business. The recording of a meeting creates a public record that requires storage in compliance with public record archive rules. Meeting recordings are often very large files requiring a large amount of storage space. There are also legal restrictions that apply to the recording of meetings, including the need for consent and announcement. See ORS 165.535. Therefore, the County’s policy is that the recording of meetings is generally prohibited, with certain exceptions as described below.

**AUTHORITY:** This Policy will be administered by the County Administrative Office in accordance with Section 34 of the Washington County Charter and the authority delegated to the County Administrator in Washington County Code Section 2.04.100.

**DEFINITIONS:** As used in this policy:

(1) “**Data Security Officer**” means an individual designated by a County department director to be the subject matter expert on County Policy #506 Personal Information Protection Policy.

(2) “**Meeting**” means a gathering of two or more people that is hosted, organized, or attended by a County workforce member in which business or issues relating to the County are discussed. A “meeting” can be held in person, virtually using audio or video technology, or a hybrid of both.

(3) “**Public Meeting**” means a meeting that is a public meeting as defined in Oregon public meetings law, ORS 192.610 to 192.690 and which defines a meeting as that of two or more members of the County with the authority to make decisions for or recommendations to the County on policy or administration.

(4) “**Public Records Officer**” means County employees appointed by department directors or managers to serve as points of contact with members of the public when receiving and processing records requests. See Policy# 203 Public Records Request Policy.

(5) “**Recording**” a digital capture of audio, video, and screen sharing.

(6) “**Technology**” means all hardware, firmware, and software capable of recording a meeting, including but not limited to:

(a) A landline inline recording device;

(b) Any mobile device capable of recording audio or video, such as a smartphone, laptop computer, or tablet computer;

(c) Screen capture recording software, such as Camtasia or Snagit; or

(d) Video conferencing applications, such as Zoom, Microsoft Teams, or Google Meet.

(7) “**Workforce member**” means all personnel engaged by the County in support of County business. This includes, but is not limited to employees, contractors, consultants, temporary employees, volunteers, and interns.

## **GENERAL POLICY:**

(1) **Applicability:** This policy applies to the recording of any meeting by a County workforce member other than a public meeting of a governing body. Public meetings of a governing body, such as the Washington County Board of Commissioners or the Washington County Planning Commission, are broadcast, recorded and posted in accordance with Oregon public meetings law, ORS 192.610 to 192.690. This policy does not apply to County personnel investigations.

(2) **Prohibition:** Unless allowed as described below, a County workforce member is prohibited from using any County or personal program or application to:

(a) Record a meeting;

(b) Arrange for another person to record a meeting; or

(c) Knowingly receive or download, upload, or otherwise share, transmit or publish the recording of a meeting.

### **(3) Exceptions:**

#### **This policy does not apply to County personnel investigations.**

(a) A County workforce member may record a meeting if allowed under one of three exceptions:

(A) A training session, when the recording of that training session has been approved by County Counsel.

(B) A vendor training session, when recording of that training session has been approved by the vendor in writing and by County Counsel.

(C) Meeting(s) for which County Counsel has approved of recording.

(b) An exception granted under this policy is for:

(A) A specific County workforce member or members to record a specific meeting or meetings, which may not be transferred to another workforce member without written approval from all meeting participants; or

(B) An annual authorization to a person familiar with the privacy and retention requirements of law and this policy, such as Department Public Records Officer or Department Data Security Officer, for a class of recurring meetings, as approved by County Counsel.

(c) A County workforce member granted an exception under this policy must:

(A) Comply with the Policy Guidelines below, as well as the accompanying Procedure 608-A;

(B) Ensure that any recording containing legally privileged or confidential information is protected in accordance with relevant legal requirements; and

(C) Inform participants that the recording of the meeting will be turned off during any question-and-answer period at the end of the meeting, if that is the intent of the meeting organizer.

(4) Role and Responsibility of the Department of Information Technology Services (ITS):

(a) ITS must determine and approve a Countywide recording solution(s). County workforce members must use the recording solution(s) approved by ITS.

(b) ITS shall, to the extent practicable, disable, as a default setting, the recording and associated transcription function of programs and applications approved for use by County workforce members that enable remote and hybrid meetings, such as Teams and Zoom.

(c) ITS shall ensure that the default setting that precludes recording and associated transcription creation be enabled for the recording of a meeting or meetings by a County workforce member as approved under this Policy and Procedure 608.

## **POLICY GUIDELINES:**

### **1. Responsibilities:**

(1) A County workforce member seeking to record a meeting may submit a request for permission to record a specific meeting in accordance with Procedure 608-A. The request must specify the business purpose for recording the meeting.

(2) The request must also demonstrate that the person who will be recording the meeting is knowledgeable about how to:

(a) Record the meeting and securely download, store, and protect the recording in compliance with this policy and public record archive laws and rules; and

(b) Ensure compliance with any and all consent and notice requirements of Oregon law contained in ORS 165.535 to 165.572.

(3) A meeting that is recorded as permitted in this policy shall be saved and stored in a manner that complies with public record archive laws and rules.

### **2. Exceptions:**

Exceptions to this policy may only be granted by the County Administrator.

### **3. Implementation:**

Elected officials and department directors are expected to be knowledgeable of, and shall be responsible for, implementing this policy within their respective departments. Observance of this policy is mandatory for all County workforce members, and violation may result in disciplinary action, up to and including termination.

### **4. Periodic Review:**

This policy shall be reviewed by the Department of Information Technology Services and County Counsel (jointly) every two-years, or more often if needed, and updated as necessary.