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Open Government Training

Welcome to the Open Government Training web page of the Office of the Attorney General.

State Laws. Washington's open government requirements are in state law. Open public records laws are at RCW 42.56. Open public meetings laws are at RCW 42.30 and RCW 42.32. These are Washington's "sunshine laws." In addition, records management and retention laws are at RCW 40.14.

Training is Required. Effective July 1, 2014, the Open Government Trainings Act (ESB 5964) requires many public officials and all agency records officers to receive training (RCW 42.56.150; RCW 42.56.152; RCW 42.30.205). Here is guidance from the Office of the Attorney General: Open Government Trainings Act Q & A, 2017 supplement to the Q & A.

Why Training is Critical. Public agencies must have a good command of these laws. Training is a key component in correctly implementing and complying with the laws. Training is an important risk management tool. Training can help establish a "culture of compliance" within an agency. Training can help avoid or reduce litigation and its costs. Violations of the open public records and meetings laws can result in penalties, as well as a breakdown in confidence in government.

Training Resources. The Office of the Attorney General provides model rules for complying with the open public records laws, and technical assistance and training on open public records and open public meetings laws. On this web page, the office also provides access to other free online resources for open government training. As more resources become available, they will be posted or linked here. Agencies may also contact the office to seek in-person training assistance. Agencies may contact the Assistant Attorney General for Open Government.

Training materials and/or speakers may also be available to agencies from other sources. Examples are listed after the curriculum* and in the Open Government Trainings Act Q & A and in the 2017 supplement to the Q & A. Agencies can also design their own training.

Online Training Curriculum. The online training curriculum is divided into four lessons. The first three address open government: (1) Open Government Overviews and General Principles, (2)

TRAINING OPPORTUNITIES

See "Open Government Training" sessions on the Secretary of State's website below.

Registration for all sessions:
Secretary of State's Training Page

Open Public Records, and (3) Open Public Meetings. Lesson (4) addresses Records Management and Retention. Agencies can use materials that fit their training requirements or needs.

Lesson (1) is a general introductory overview. It is offered to give background on open government laws generally.

Lessons (2) – (4) provide online training that complies with ESB 5964 (RCW 42.56.150, RCW 42.56.152 and RCW 42.30.205). Please reference these steps to take the online training.

Finally, this short video featuring Attorney General Bob Ferguson and Secretary of State Kim Wyman also explains that this important training can be taken online.

Reminder: Laws Change. The Washington State Legislature can amend the sunshine and records management/retention laws. Courts also issue decisions interpreting these laws. Agencies should review current laws and decisions to determine if training materials they use are consistent with the current laws, and whether they should be updated. If there is a difference, the laws govern. Legislative updates will also be posted on this page.

Practice Tip: Document the Training. Agencies should determine which staff and/or officials are required to or should receive training. It is a good practice for agencies to document training provided or received by their staff or officials. See the Open Government Trainings Q & A for more details. This web page includes a sample training certificate and a sample training roster. Agencies can use other forms or procedures to document training.

Open Government Training Curriculum - Resources

Lesson (1) is a general overview. Lessons (2) and (3) provide particular training and other resources on the Open Public Records Act and the Open Public Meetings Act.

LESSON 1: OPEN GOVERNMENT OVERVIEWS AND GENERAL PRINCIPLES

- Office of the Attorney General - Public Records & Open Public Meetings
- Office of the Attorney General PowerPoint – Public Records & Open Public Meetings (PowerPoint / PDF)

Other Resources:

- Office of the Governor - State Agency "Boards and Commissions Membership Handbook"
- Municipal Research and Services Center's publication, "Knowing the Territory – Basic Legal Guidelines for Washington City, County and Special Purpose District Officials"
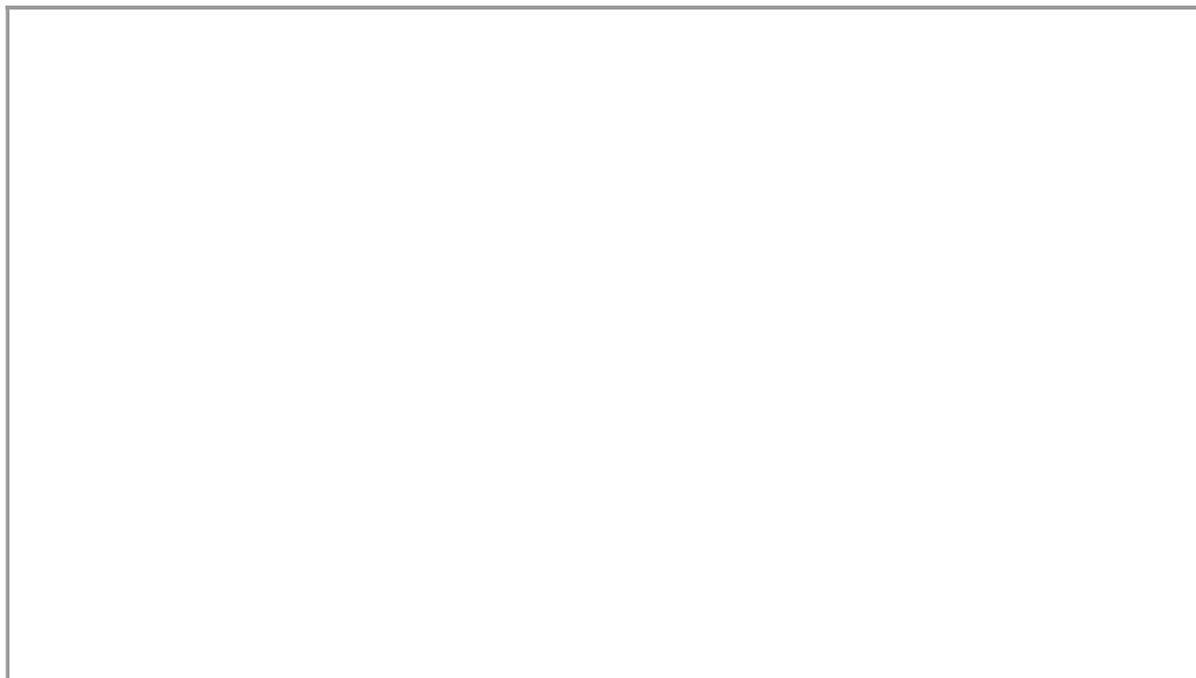
LESSON 2: OPEN PUBLIC RECORDS – RCW 42.56

- Office of the Attorney General PowerPoint – Open Public Record*s* (PowerPoint / PDF)

Other Resources:

- 2017 Legislative Update (Records)
- 2017 Legislative Update (1594/1595)
- 2017 Legislative Update (1595/Fees)
- 2016 Legislative Update (Records)
- 2015 Legislative Update (Records)
- 2014 Legislative Update (Records)
- Office of the Attorney General - Obtaining Public Records
- Office of the Attorney General - Denials of Public Records
- Office of the Attorney General - The Open Government Resource Manual
- Office of the Attorney General - Model Rules for Public Disclosure
- Office of the Governor Online Training
- Municipal Research and Services Center's Open Public Records Act site:
    - Public Records Act
    - MRSC Inquiries - Public Records
- Municipal Research and Services Center's publication, "Public Records Act for Washington Cities, Counties and Special Purpose Districts"
- Municipal Research and Services Center's Social Media page
- Washington Association of Public Records Officers
- Washington Coalition for Open Government Public Records Act Web Site
- State Auditor's Office Open Government Training Web Site
- Municipal Research and Service Center's Practice Tips and Checklists

LESSON 3: OPEN PUBLIC MEETINGS – RCW 42.30

- Office of the Attorney General PowerPoint – Open Public Meetings (<u>PowerPoint</u> / <u>PDF</u>)

Other Resources:

- <u>Open Public Meetings Act Guidance - Searches</u>
- <u>2017 Legislative Update (Meetings)</u>
- <u>2016 Legislative Update (Meetings)</u>
- <u>2015 Legislative Update (Meetings)</u>
- <u>2014 Legislative Update (Meetings)</u>
- <u>Office of the Attorney General - The Open Government Resource Manual</u>
- <u>Office of the Attorney General - Opinions</u>
- <u>Office of the Governor – Q & A Regarding the Open Public Meetings Act</u>
- <u>Municipal Research and Services Center's Open Public Meetings Act site</u>
- <u>Municipal Research and Services Center's Publication "The Open Public Meetings Act – How it Applies to Washington Cities, Counties and Special Purpose Districts"</u>
- <u>Municipal Research and Services Center's publication, "Knowing the Territory – Basic Legal Guidelines for Washington City, County and Special Purpose District Officials"</u>
- <u>Washington State School Directors Association – "Open Public Meetings Act and Board Meeting Agendas" Webinars</u>
- <u>State Auditor's Office Open Government Training Web Site</u>
- <u>Municipal Research and Service Center's Practice Tips and Checklists</u>
- <u>Association of Washington Cities/Municipal Research and Services Center's Online Open Public Meetings Act E-Learning Training</u>

Records Retention/Management Curriculum - Resources

LESSON 4: RECORDS MANAGEMENT AND RETENTION – RCW 40.14

- <u>Washington State Archives Records Management Web Site</u>

- Washington State Archives – Education and Training (links:)
  - <u>State Agencies:</u>
    - <u>Online Video</u> (A Primer for Public Records)
    - <u>Training Calendar</u> (in person training)
  - <u>Local Agencies:</u>
    - <u>Online Video</u> (A Primer for Public Records)
    - <u>Training Calendar</u> (in person training)

Other Resources:

- Washington State Archives - Advice Sheets and Other Publications
  - <u>State Agencies</u>
  - <u>Local Agencies</u>
- <u>Municipal Research and Services Center's and Washington State Archives webinar, "Public Records: Tackling the Tough Questions (Including Use of Smart Phones and Other Thorny Issues)"</u>

 For more information, contact State Archives at (360) 586-4901 or by email at <u>recordsmanagement@sos.wa.gov</u>.

LAST STEP: TRAINING DOCUMENTATION

- <u>Sample training certificate</u>
- <u>Sample training roster</u>

* Examples of other possible sources for training materials and/or speakers include the Washington Secretary of State's Office (records management/retention), the Municipal Research and Services Center, the Association of Washington Cities, the Washington Association of County Officials, the Washington State Association of Counties, the Washington Association of Public Records Officers, the Washington State School Directors Association, the Washington Coalition for Open Government, and others.