

WAC 392-105-090 Review of denials of public records requests.

(1) Petition for internal administrative review of denial of access.

Any person who objects to the initial denial or partial denial of a records request may petition in writing, including email, to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

(2) Consideration of petition for review. The public records officer must promptly provide the petition and any other relevant information to the superintendent of public instruction or his or her designee. The superintendent or designee must consider the petition and either affirm or reverse the denial within two business days following the agency's receipt of the petition, or within such other time as the agency and the requestor mutually agree to.

(3) Review by the attorney general's office. Pursuant to RCW 42.56.530, if the agency denies a requestor access to public records because the agency claims the record is exempt in whole or in part from disclosure, the requestor may request the attorney general's office to review the matter under WAC 44-06-160.

(4) Judicial review. Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

[Statutory Authority: RCW 28A.300.040 and 2017 c 304. WSR 18-13-060, § 392-105-090, filed 6/14/18, effective 7/15/18.]