

**WAC 132S-10-090 Exemptions. (1) Public Records Act exemptions.**

There are a number of types of records exempt from public inspection and copying. The college reserves the right to determine that a public record requested in accordance with WAC 132S-10-070, or any portion thereof, is exempt under the Public Records Act.

(2) **Other exemptions.** Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the college for inspection and copying. This is not an exhaustive list as numerous exemptions exist outside of the act to an academic setting. The college's failure to list an exemption here shall not affect the efficacy of any exemption.

(a) RCW 5.60.060 - Privileged communications;

(b) 20 U.S.C. 1232g - Family Educational Rights and Privacy Act (FERPA);

(c) 42 U.S.C. 405 (c) (2) (vii) (1) - Social Security numbers

(d) 45 C.F.R. 16-0164 - HIPPA privacy rule;

(e) Chapter 19.108 RCW and RCW 4.24.601 - Uniform Trades Secret Act; and

(f) Chapter 10.97 RCW - Regarding criminal history information.

(3) **Identification of exemptions.** A denial of any record, in whole or part, shall include a statement of the specific exemption(s) authorizing the withholding of the record (or portion thereof) and a brief explanation of how the exemption applies to the record of information withheld.

[Statutory Authority: RCW 25B.50.140 [28B.50.140], 2017 c 303, 2017 c 304 and chapter 42.56 RCW. WSR 17-23-180, § 132S-10-090, filed 11/21/17, effective 12/22/17. Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-10-090, filed 5/25/16, effective 6/25/16.]