

Chapter 132M-110 WAC

PUBLIC RECORDS DISCLOSURE POLICY

WAC

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WAC 132M-110-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District Number Thirteen with the provisions of chapter 42.17 RCW Disclosure—Campaign finances—Lobbying—Records; and in particular with RCW 42.17.250-42.17.320 of that act, dealing with public records.

[Order 1-75, § 132M-110-010, filed 11/10/75.]

WAC 132M-110-020 Definitions. (1) **Public records.** "Public record" indicates those documents which contain information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) **Writing.** "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) **Community College District Number Thirteen.** The Community College District Number Thirteen is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District Number Thirteen shall hereinafter be referred to as the "college" and includes the institution known as Lower Columbia College. Where appropriate, the term college also refers to the board of trustees, and the officers, agents, and employees of the college.

[Order 1-75, § 132M-110-020, filed 11/10/75.]

WAC 132M-110-030 Description of central and field organization of Community College District Number Thirteen. District number thirteen is a community college district organized under RCW 28B.50.040. The college administrative office and its staff are located at Lower Columbia College, 1600 Maple Street, Longview, Washington, 98632.

[Order 1-75, § 132M-110-030, filed 11/10/75.]

(4/2/92)

WAC 132M-110-040 Operations and procedures.

The college is established under RCW 28B.50.040 to implement the educational purposes established under RCW 28B.50.020. The college district is operated under the supervision and control of a board of trustees. The board of trustees is made up of five members each appointed by the governor to a term of five years. The trustees meet the third Wednesday of each month, unless otherwise determined, at a place designated by the chairman of the board in accordance with public notice and hold such special meetings as are announced by public notice. At such time, the trustees exercise the powers and duties granted it under RCW 28B.50.140.

[Order 1-75, § 132M-110-040, filed 11/10/75.]

WAC 132M-110-050 Public records availability. All public records of the college, as defined in WAC 132M-110-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 132M-110-100.

[Order 1-75, § 132M-110-050, filed 11/10/75.]

WAC 132M-110-060 Public records officer. The college's public records shall be in the charge of the records officer designated by the college president. The person so designated may in turn designate persons in the administrative office to implement this section. The records officer and his designees shall be responsible for:

(1) The implementation of the rules and regulations of the college regarding release of public records.

(2) Coordinating the staff of the college in this regard.

(3) Insuring compliance by the staff with the public disclosure requirements of chapter 42.17 RCW.

[Order 1-75, § 132M-110-060, filed 11/10/75.]

WAC 132M-110-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the college. For the purposes of this chapter the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal and other college holidays.

[Order 1-75, § 132M-110-070, filed 11/10/75.]

WAC 132M-110-080 Requests for public records. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the college which shall be available at its adminis-

trative office on the campus. The form shall be presented to the records officer and/or his designees at the administrative office on the campus during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the material requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in the index;
- (e) If the material requested is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the records officer and/or his designees to assist the member of the public in appropriately identifying the public record requested.

(3) The records officer and/or his designee to whom the request is presented shall respond promptly and

- (a) Make the requested document available, or
- (b) State that such a document does not exist, or
- (c) Ask for clarification of the document requested, or
- (d) Deny access if the record is exempt from public inspection under WAC 132M-110-050 as determined by RCW 42.17.310.

[Order 1-75, § 132M-110-080, filed 11/10/75.]

WAC 132M-110-090 Copying. No fee shall be charged for the inspection of public records. The college shall charge a minimum fee of twenty-five cents per page of copy for providing copies of public records. In the event the copying of public records would unreasonably burden existing personnel of the college, or additional personnel and/or equipment would have to be added because of the request(s) for copying the public records, then a reasonable charge may be added to the twenty-five cents per copy minimum to reflect the cost for additional personnel or equipment. The increased cost shall be determined by the records officer and shall be stated on the form requesting the copying of public records when the same request is approved by the records officer. In any case where the records officer estimates that the cost of duplication of a request will exceed ten dollars, then he may at his discretion require an advance payment of all or a percentage of the cost estimate prior to complying with the request for duplication. When, in the opinion of the records officer, it would be less expensive or more practical to duplicate public records by contract with a printing company, then the records officer shall have the authority to do the same and the actual cost of the printing shall be paid by the person requesting the duplication.

[Order 1-75, § 132M-110-090, filed 11/10/75.]

WAC 132M-110-100 Exemptions. (1) The college reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132M-110-080 is exempt under the provisions of chapter 42.17 RCW.

(2) In addition, pursuant to RCW 42.17.260, the college reserves the right to delete identifying details when it makes

available or publishes any public record, in any case when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The records officer and/or his designee will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Order 1-75, § 132M-110-100, filed 11/10/75.]

WAC 132M-110-110 Review of denials of public records. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the records officer and/or his designees which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the records officer and/or his designee denying the request shall refer it to the college president. The college president or his designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the college has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 1-75, § 132M-110-110, filed 11/10/75.]

WAC 132M-110-120 Protection of public records. Requests for public records shall be to the agency records officer and/or his designees in the appropriate locations on the campus. Public records and a facility for their inspection will be provided by the records officer and/or his designees. Such records shall not be removed from the place designated for their inspection. Copies shall be made only at Lower Columbia College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132M-110-090.

[Order 1-75, § 132M-110-120, filed 11/10/75.]

WAC 132M-110-130 Records index. (1) The records officer and/or his or her designee has available to all persons a current index which provides identifying information as to those records promulgated and indexed since June 30, 1972, pursuant to RCW 42.17.260. The records officer shall be located in the Personnel Office, Lower Columbia College, 1600 Maple Street, Longview, WA 98632. The college's schedule for revising and updating the index may be obtained by contacting the records officer.

(2) The index shall reference records by one or more of the following classifications: Date of implementation, subject matter, or organizational unit.

(3) The current index promulgated by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Statutory Authority: RCW 28B.50.140, 92-09-004, § 132M-110-130, filed 4/2/92, effective 5/3/92; Order 1-75, § 132M-110-130, filed 11/10/75.]

WAC 132M-110-140 Adoption of form. The college hereby adopts for use by all persons requesting inspection and/or copying or copies of its records SF 276, attached hereto as Appendix "A," entitled "request for public record."

[Order 1-75, § 132M-110-140, filed 11/10/75.]

WAC 132M-110-990 Appendix A—Request for public record.



REQUEST FOR PUBLIC RECORD

REQUESTER: Please complete form and submit to "Public Records Officer" of the state agency identified.

TO >		NAME OF STATE AGENCY		DATE OF REQUEST	TIME OF REQUEST
PUBLIC RECORDS OR INFORMATION REQUESTED				REQUESTED BY	
				REQUESTER READ AND SIGN	
COMPLETED BY AGENCY PUBLIC RECORDS OFFICER		ACKNOWLEDGEMENT OF RECEIPT			
NO. OF COPIES	AMOUNT RECEIVED	DATE OF RECEIPT	TIME OF RECEIPT	I understand that I must abide by the Rules and Regulations published by the agency identified, for the protection of public records, a copy of which I have read and understand. I understand that I will be charged twenty-five cents per copy for all standard letter size copies I desire and that other size publications are available at cost.	
	\$				
PUBLIC RECORDS OFFICER		RECIPIENT'S SIGNATURE			
		⇒			
REASON IF AGENCY IS UNABLE TO COMPLY				REQUESTER'S SIGNATURE	
				⇒	

Form S.F. 276 (6/75)

[Order 1-75, Appendix A (codified as WAC 132M-110-990), filed 11/10/75.]