

# Chapter 132G-276 WAC

## PUBLIC RECORDS

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132G-276-030	Description of central and field organization of Community College District Number Seven. [Order 3-11:74, § 132G-276-030, filed 4/26/74.] Repealed by WSR 00-10-048, filed 4/26/00, effective 5/27/00. Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5).
132G-276-040	Operations and procedures. [Order 3-11:74, § 132G-276-040, filed 4/26/74.] Repealed by WSR 00-10-048, filed 4/26/00, effective 5/27/00. Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5).

**WAC 132G-276-010 Purpose.** The purpose of this chapter shall be to ensure compliance by the college 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.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-010, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-010, filed 4/26/74.]

**WAC 132G-276-020 Definitions.** (1) **Public records.** "Public record" includes any writing containing 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, email, 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.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-020, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-020, filed 4/26/74.]

**WAC 132G-276-050 Public records available.** All public records of the college, as defined in WAC 132G-276-020 and RCW 42.17.020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by law.

(4/26/00)

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-050, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-050, filed 4/26/74.]

**WAC 132G-276-060 Public records officer.** The college's public records shall be in the charge of the public 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 public records officer and his or her designees shall be responsible for the following: The implementation of the college's rules and regulations regarding release of public records, coordinating the staff of the college in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-060, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-060, filed 4/26/74.]

**WAC 132G-276-070 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 3-11:74, § 132G-276-070, filed 4/26/74.]

**WAC 132G-276-080 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 administrative office on the campus. The form shall be presented to the public records officer and/or his or her designees, at the administrative office on the campus during customary office hours. The request shall include the following information:

- The name of the person requesting the record;
- The time of day and calendar date on which the request was made;
- The nature of the request;
- If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- If the requested matter 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 public records officer and/or his or her designees, to assist the member of the

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public in appropriately identifying the public record requested.

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

(a) Making the requested document available;

(b) Acknowledging receipt of the request and providing a reasonable estimate of the time required to respond to the request;

(c) Stating that such a document does not exist;

(d) Asking for clarification of the document requested; or

(e) Denying access to some or all of the document because portions of the document are exempt from public inspection.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-080, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-080, filed 4/26/74.]

**WAC 132G-276-090 Copying.** No fee shall be charged for the inspection of public records. The college imposes a charge for providing copies of public records. Such charges shall not exceed the amount necessary to reimburse the college for the actual cost as allowed by law.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-090, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-090, filed 4/26/74.]

**WAC 132G-276-100 Exemptions.** (1) The college reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132G-276-080 is exempt under chapter 42.17 RCW or other law which exempts or prohibits disclosure of specific information or records.

(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 cases when there is a statute or law authorizing nondisclosure of the requested material. The public records officer and/or his or her 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.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-100, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-100, filed 4/26/74.]

**WAC 132G-276-110 Review of denials of public records requests.** (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 public records officer and/or his or her designees which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer and/or his or her designee denying the request shall refer it to the college president. The college president or his or her designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attor-

ney 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.

(4) Once the college denies a request for public records, the requester may request the attorney general to review the denial. Pursuant to RCW 42.17.325, the attorney general will provide the requester with an opinion whether the record is exempt from disclosure.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-110, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-110, filed 4/26/74.]

**WAC 132G-276-120 Protection of public records.**

Requests for public records shall be to the public records officer and/or his or her designees in the appropriate locations on the campus. Public records and a facility for their inspection will be provided by the public records officer and/or his or her designees. Such records shall not be removed from the place designated for their inspection. Copies shall be made only at Shoreline Community College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according the provisions of WAC 132G-276-090.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-120, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-120, filed 4/26/74.]

**WAC 132G-276-130 Records index.** (1) Purpose. This rule is enacted in compliance with chapter 42.17 RCW, Disclosure—Campaign finances—Lobbying—Records; and chapter 34.05 RCW, Administrative Procedure Act; and in particular with RCW 42.17.260 and 34.05.220.

(2) Content. The public records officer shall maintain an index of final orders, declaratory orders, interpretive statements, and policy statements, as defined by RCW 42.17.260(5), issued after June 30, 1990, by the board of trustees of the college, the president of the college, or their designees.

(3) Form. The index shall reference final orders, declaratory orders, interpretive statements, or policy statements by one or more of the following classifications: Date of implementation, organizational unit, or subject matter.

(4) Requests for access to indexes. Information regarding public inspection of indexes, their location, and a schedule for revising and updating these indexes can be obtained by contacting the public records officer.

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-130, filed 4/26/00, effective 5/27/00; Order 3-11:74, § 132G-276-130, filed 4/26/74.]

**WAC 132G-276-140 Adoption of form.** The college hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix A [WAC 132G-276-900], entitled "Request for public record."

[Order 3-11:74, § 132G-276-140, filed 4/26/74.]

WAC 132G-276-900 Appendix A—Form—Request for public record to the Shoreline Community College.

APPENDIX "A"
REQUEST FOR PUBLIC RECORD TO SHORELINE COMMUNITY COLLEGE

- (a) Name (Please Print) Signature
Name of Organization, if Applicable
Mailing Address of Applicant Phone Number
(b) Date Request Made at the Shoreline Community College Time of Day Request Made
(c) Nature of Request
(d) Identification Reference on Current Index Please Describe
(e) Description of Record, or Matter, Requested if not Identifiable by Reference to the Shoreline Community College's Current Index
(f) Purpose of Request if the Request is for a List of Individuals

Request: Approved By
Date Public Records Officer or his or her designee

Denied Date
Reasons for Denial:

Referred to Date
By
Public Records Officer or his or her designee

[Statutory Authority: RCW 28B.50.140(13) and 42.17.260(5). WSR 00-10-048, § 132G-276-900, filed 4/26/00, effective 5/27/00; Order 3-11:74, Appendix A (codified as WAC 132G-276-900), filed 4/26/74.]