

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF SERVICES FOR THE BLIND

(agency name)

Administrative Order No. 83-06

(1) I, PAUL DZIEDZIC, director of

DEPARTMENT OF SERVICES FOR THE BLIND

do promulgate and adopt at 921 Lakeridge Drive, Room 202, Olympia, WA 98504 (place)

the annexed rules relating to:

WAC 67-10 Public Records - Disclosure

WAC 67-14 Repealer

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 83-22-022 filed with the code reviser on 10/26/83. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[] (a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

[X] (c) This rule is promulgated under the general rule-making authority of the DEPARTMENT OF SERVICES FOR THE BLIND

(agency)

as authorized in RCW Chapter 194, Laws of 1983, Section 18

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON

APPROVED AND ADOPTED December 14 19 83

DEC 15 1983

By Paul Dziedzic Paul Dziedzic Director

Title

[Form CR-7: Rev. 7/23/82]

CODE REVISER'S OFFICE WSR 84-01-040

Chapter 67-10 WAC

PUBLIC RECORDS--DISCLOSURE

67-10-010	Purpose.
67-10-020	Description of organization of the department.
67-10-030	Location of established places.
67-10-040	Operations and procedures.
67-10-050	Public records available.
67-10-060	Public records officer.
67-10-070	Records index.
67-10-080	Office hours.
67-10-090	Requests for public records.
67-10-110	Copying fees.
67-10-120	Exemptions.
67-10-130	Review of denials of public records requests.
67-10-140	Protection of public records.
67-10-150	Consumer complaints and inquiries.
67-10-160	Adoption of forms.
67-10-170	Form 1--Request for Inspection of Records.
67-10-180	Form 2--Request for Photocopy of Record(s).

NEW SECTION

WAC 67-10-010 PURPOSE. The department of services for the blind is an agency of state government created by chapter 194, Laws of 1983. It shall hereafter in this chapter be referred to as the "department."

NEW SECTION

WAC 67-10-020 DESCRIPTION OF ORGANIZATION OF THE DEPARTMENT.

(1) Central organization. The chief executive officer of the department is the director. The director shall be appointed by the governor, with the consent of the senate.

(2) Advisory council. The advisory council consists of at least six members of which a majority shall be blind. The members are appointed by the governor. Terms are for a period of three years. Advisory council members elect one of their members as chair for a term of one year.

(3) The department has two sections: Administrative services and field services which are each headed by an assistant director.

(4) Field organization. (a) The vocational rehabilitation program is operated statewide with two supervisors. (b) The business enterprise program is operated under one supervisor. (c) The agency operated Orientation and Training Center at 3411 S. Alaska St., Seattle is operated under one supervisor. (d) The state-wide child and family services program is operated under one supervisor. (e) The medical assistance program is operated under one supervisor.

NEW SECTION

WAC 67-10-030 LOCATION OF ESTABLISHED PLACES. Location of established places where information about the department may be obtained and department's public records inspected and copied.

(1) Olympia office. The office of the director and the administrative office of the department is located at 921 Lakeridge Drive #202, Olympia, WA 98504.

(2) Seattle office. The main office for field services is located at 3411 South Alaska St., Seattle, WA 98118.

(3) Field offices. (a) General information about the department may also be obtained at its service locations or major field offices at the following places: 921 Lakeridge Drive, Olympia, WA 98504; W. 55 Mission, Rm. 115, Spokane, WA 99201; 601 W. Evergreen, P.O. Box 751, Vancouver, WA 98666; Morris Bldg., 23 S. Wenatchee Ave., Wenatchee, WA 98801; 32 N. 3 St., Rm. 316, Yakima, WA 98901. (b) Information about medical assistance program, business enterprises for the blind, and child and family services can be obtained at the Seattle office, 3411 South Alaska St., Seattle, WA 98118.

NEW SECTION

WAC 67-10-040 OPERATIONS AND PROCEDURES. The general course and method of channeling and determining the operations of the two sections and the nature of requirements of all formal and informal procedures connected therewith are summarized in the following subsections:

(1) Administrative services. This section manages all personnel, training, budget, data processing, and properties management for the department. It prepares budgets and reports, collects funds, certifies and pays invoices. It is responsible for state and federal reports. It provides staff to the advisory council members. Many of the functions of the administrative services section are subject to Washington Administrative Code provisions as authorized by law to be adopted by other departments and enforced by the department.

(2) Field services. This section provides services to all of the department's clients and keeps records of these services.

(a) Vocational rehabilitation. This unit provides a wide array of services to individuals whose disability causes a substantial handicap to employment where there is a reasonable expectation that services will provide a benefit in terms of employability. The primary source of funds for this program is federal, and it is subject to federal regulation.

(b) Business enterprise program. This program assists in the development and maintenance of vending operations operated by blind individuals in public buildings. It is funded by a combination of state and federal funds and is subject to federal regulations. A restricted fund generated by vending machine revenue also funds business enterprise program activities.

(c) Medical assistance. This program provides medical services to restore vision or minimize vision loss through medical treatment. This program serves people who do not meet the eligibility criteria of the medical assistance eye care program operated by the department of social and health services. Medical eligibility for prescribed services is determined by the department. This program is state funded.

(d) Child and family services. This program serves blind children and their families. Caseworkers work directly with children and parents. In addition, school personnel and other service providers are assisted in working with blind children by consultation and training. This program is state funded.

(e) Orientation and training center. This program is operated at 3411 South Alaska St., Seattle, WA 98118. It provides training in alternative skills, personal adjustment, and assessment for full-time blind students. Students live in a privately owned residential facility located nearby.

(f) Other programs. The department may establish such additional programs as the department deems necessary to carry out its legislative purpose.

NEW SECTION

WAC 67-10-050 PUBLIC RECORDS AVATLABLE. Public records are available for public inspection and copying pursuant to these rules except as otherwise provided by RCW 42.17.310 and these rules.

NEW SECTION

WAC 67-10-060 PUBLIC RECORDS OFFICER. The public records officer for the department shall be the assistant director of administrative services, as designated by the director, for all records maintained by the department whether located at the central office thereof at Olympia, Washington, or at such other offices throughout the state maintained by the department. The public records officer shall be located at such central office. The public records officer shall be responsible for implementation of this chapter regarding release of public records, coordinating the staff of the department in this regard, generally insuring compliance by the staff with the public records disclosure requirements of RCW 42.17.250 through 42.17.320, and maintaining the records index of the department as required.

NEW SECTION

WAC 67-10-070 RECORDS INDEX. The department has available to all persons a current index which provides identifying information as to public records received, issued, adopted or promulgated since its inception. The current index adopted by the department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

NEW SECTION

WAC 67-10-080 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the department. For purposes of this chapter, the customary office hours shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 67-10-090 REQUESTS FOR PUBLIC RECORDS. In accordance with requirements of RCW 42.17.250 through 42.17.320 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 department which shall be available at any office of the department during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the records;
 - (b) The time of day and calendar date on which the request was made;
 - (c) The nature of the request;
 - (d) 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;
 - (e) 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 or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

NEW SECTION

WAC 67-10-110 COPYING FEES. No fee shall be charged for the inspection of public records. The department will charge a per-page fee for providing copies of public records. If copies of photographs are requested, a fee will be charged for the duplication of such photographs. If copies of taped or brailled material are requested, fees will be charged for the duplication of such materials. Copying fees will be set at amounts equal to the actual costs to the department incident to such copying, including costs of materials, machinery, and personnel. The fees charged will be reviewed periodically to assure their accuracy, and shall be modified accordingly.

NEW SECTION

WAC 67-10-120 EXEMPTIONS. (1) The department reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 67-10-090 is exempt under the provisions of RCW 42.17.310 and/or such other laws as may be deemed applicable.

(2) In addition, pursuant to RCW 42.17.260 the department reserves the right to delete identifying details when it makes available or publishes any public record in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy. The public records officer 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.

NEW SECTION

WAC 67-10-130 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 or other staff member 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 or other

staff member denying the request shall refer it to the director. The director shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the members of the staff necessary to properly consider the matter and/or request a legal review thereof by the assistant attorney general representing the department. In any case, the request shall be returned with a final decision, within five business days following the original denial.

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

NEW SECTION

WAC 67-10-140 PROTECTION OF PUBLIC RECORDS. The public records officer shall to the extent practicable insure that records requested are not removed from the premises nor portions thereof removed by members of the public.

NEW SECTION

WAC 67-10-150 CONSUMER COMPLAINTS AND INQUIRIES. Unless a consumer complainant or inquirer specifically provides to the contrary, the public records officer or other members of the staff are authorized when deemed appropriate to forward a copy of the letter or other writings pertinent to the complaint or inquiry to the firm or person which is the subject of the complaint or to any firm or person who may provide assistance relative to the complaint or inquiry.

NEW SECTION

WAC 67-10-160 ADOPTION OF FORMS. The department hereby adopts for use by all persons requesting inspection and/or copies of records the forms attached hereto entitled "request for inspection of records" and "request for photocopy of records."

NEW SECTION

WAC 67-10-170 FORM 1--REQUEST FOR INSPECTION OF RECORDS.

Request Number

Date requested

Date provided

(For office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND

Request for Inspection of Records

The information requested in Blocks 1 through 6 is not mandatory, however, the completion of these blocks will enable this office to expedite your request and contact you should the record you seek not be immediately available.

1. Name	4. Phone number
2. Address	5. Representing (if applicable)
3. Zip code	6. If urgent - date needed

Below please state what record(s) you wish to inspect and be as specific as possible. If you are uncertain as to the type or identification of specific record or records we will assist you.

I certify that the information requested from the above record(s) will not be part of a list of individuals to be used for commercial purposes.

Signed _____
Date _____

NEW SECTION

WAC 67-10-180 FORM 2--REQUEST FOR PHOTOCOPY OF RECORD(S).

Request Number
Date Requested
Date Provided
(Office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND

Request for Photocopy of Record(s)

1. Name	4. Phone number
2. Address	5. Representing (if applicable)
3. Zip code	6. If urgent - date needed

Please state below the pages of the documents or records you wish to have photocopied. A reasonable standard fee for each page or record will be charged for this service.

I wish the following page(s) of documents or records to be photocopied and made available for my possession, I agree to pay a reasonable standard charge for this service.

I certify that the photocopies of records received as listed above will not be part of a list of individuals to be used for commercial purposes.

Signed _____

Date _____

Office use only

Number of pages copied @ per copy.
Total charge Amount paid

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 67-14-010 PURPOSE.
- (2) WAC 67-14-020 DESCRIPTION OF ORGANIZATION OF THE COMMISSION.
- (3) WAC 67-14-030 LOCATION OF ESTABLISHED PLACES.
- (4) WAC 67-14-040 OPERATIONS AND PROCEDURES.
- (5) WAC 67-14-050 PUBLIC RECORDS AVAILABLE.
- (6) WAC 67-14-060 PUBLIC RECORDS OFFICER.
- (7) WAC 67-14-070 RECORDS INDEX.
- (8) WAC 67-14-080 OFFICE HOURS.
- (9) WAC 67-14-090 REQUESTS FOR PUBLIC RECORDS.
- (10) WAC 67-14-110 COPYING FEES.
- (11) WAC 67-14-120 EXEMPTIONS.
- (12) WAC 67-14-130 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS.
- (13) WAC 67-14-140 PROTECTION OF PUBLIC RECORDS.
- (14) WAC 67-14-150 CONSUMER COMPLAINTS AND INQUIRIES.
- (15) WAC 67-14-160 ADOPTION OF FORMS.
- (16) WAC 67-14-170 FORM 1--REQUEST FOR INSPECTION OF RECORDS.
- (17) WAC 67-14-180 FORM 2--REQUEST FOR PHOTOCOPY OF RECORD(S).