

Chapter 132T-175 WAC

PUBLIC RECORDS

WAC

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WAC 132T-175-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Community College District No. 20 with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records.

[Order 73-7, § 132T-175-010, filed 3/23/73.]

WAC 132T-175-020 Definitions. (1) Public records
"Public record" indicates any writing containing information relating to the conduct of governmental 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 No. 20

Community College District No. 20 was established pursuant to the Community College Act of 1967. Community College District No. 20 shall hereinafter be referred to as the "district." Where appropriate, the term Community College District No. 20 also refers to the staff and employees of the Community College District No. 20.

[Order 73-7, § 132T-175-020, filed 3/23/73.]

WAC 132T-175-030 Description of central and field organization of Community College District No. 20. (1) Community College District No. 20

The Community College District No. 20 is an institution of higher education. The administrative office of the district and its staff are located at Walla Walla, Washington.

[Order 73-7, § 132T-175-030, filed 3/23/73.]

(6/1/75)

WAC 132T-175-040 Operations and procedures.

Community College District No. 20 is governed by a board of trustees consisting of five individuals appointed by the governor of the state of Washington and is operated in accordance with the provisions of the Community College Act of 1967 and amendments thereto; and the bylaws, policies and regulations adopted by the board of trustees of Community College District No. 20 and on file in the office of the president of Walla Walla Community College.

[Order 73-7, § 132T-175-040, filed 3/23/73.]

WAC 132T-175-050 Public records available. All public records of the district, as defined in WAC 132T-175-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided in section 31, chapter 1, Laws of 1973 and chapter 132T-175 WAC.

[Order 73-7, § 132T-175-050, filed 3/23/73.]

WAC 132T-175-060 Public records officer. The district's public records shall be in charge of the public records officer designated by the district. The person so designated shall be located in the administrative office of the district. The public records officer shall be responsible for the following: The implementation of the district's rules and regulations regarding release of public records, coordinating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

[Order 73-7, § 132T-175-060, filed 3/23/73.]

WAC 132T-175-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the district. 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 holidays.

[Order 73-7, § 132T-175-070, filed 3/23/73.]

WAC 132T-175-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 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 district which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the district's staff, if the public records officer is not available, at the administrative

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office of the district 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 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 district's 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.

[Order 73-7, § 132T-175-080, filed 3/23/73.]

WAC 132T-175-090 Copying. No fee shall be charged for the inspection of public records. The district shall charge a fee of five cents per page of copy for providing copies of public records and for use of the district copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying.

[Order 73-7, § 132T-175-090, filed 3/23/73.]

WAC 132T-175-100 Exemptions. (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132T-175-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the district 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 protected by chapter 1, Laws of 1973. 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.

[Order 73-7, § 132T-175-100, filed 3/23/73.]

WAC 132T-175-110 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 decisions 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 president of the college. The president shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the district as soon as legally possible to review the denial. In any case, the

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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 district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 73-7, § 132T-175-110, filed 3/23/73.]

WAC 132T-175-120 Protection of public records.

That the location of the public records officer appointed pursuant to WAC 132T-175-060 shall be in the office of the business manager. That the public records officer shall establish a central district index which shall be the district's master index to be coordinated with subsidiary indexes established in each major administrative area of the college, specifically:

(1) The office of the secretary to the board of trustees of the district (which is the office of the president of Walla Walla Community College);

(2) The office of the president of Walla Walla Community College;

(3) The office of the dean of instruction;

(4) The office of the dean of student services;

(5) The business office; and/or

(6) Any subdivision of each major administrative area mutually agreed upon by the administrator of the area involved and the public records officer.

That upon receiving requests for public records in the manner prescribed in WAC 132T-175-080, it shall be the duty of the public records officer to immediately act upon the request. If it is determined the item requested is a public record as defined in WAC 132T-175-020 it shall be the duty of the public records officer to locate the public record in the office in which it is filed and make it available for inspection. That should, in the judgment of the public records officer, there be a possibility of the destruction of the public record, then the public records officer shall make available a copy of the record.

That upon request the public records officer shall make available copies of public records in accordance with WAC 132T-175-090.

[Order 75-3, § 132T-175-120, filed 2/27/75; Order 73-7, § 132T-175-120, filed 3/23/73.]

WAC 132T-175-130 Records index. (1) Index

The district shall make available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since its inception:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports

or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) Availability

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.

[Order 73-7, § 132T-175-130, filed 3/23/73.]

WAC 132T-175-140 District's address. All communications with the district including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973 and these rules; requests for copies of the district's decisions and other matters, shall be addressed as follows: Walla Walla Community College, Community College District No. 20, c/o Public Records Officer, 500 Tausick Way, Walla Walla, Washington 99362.

[Order 75-3, § 132T-175-140, filed 2/27/75; Order 73-7, § 132T-175-140, filed 3/23/73.]

WAC 132T-175-150 Adoption of form. The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix A, entitled "Request for public record."

[Order 73-7, § 132T-175-150, filed 3/23/73.]

WAC 132T-175-990 Appendix A—Request for public record.

APPENDIX "A"
COMMUNITY COLLEGE DISTRICT NO. 20
WALLA WALLA COMMUNITY COLLEGE
REQUEST FOR PUBLIC RECORD

....., the undersigned, hereby requests that he be permitted to inspect and/or copy the public record of Community College District No. 20 (Walla Walla Community College) pertaining to

Subject:

Dated on or about

Dated this day 19....

(Signed)

Address:

Request received

Public Records Officer

Request granted Date

Index No. and Title

Inspection Date

Copy provided Date

Request not granted Date

Reason not granted and disposition of matter

(6/1/75)

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(Signed)
Public Records Officer

[Order 73-7, Appendix A (codified as WAC 132T-175-990), filed 3/23/73.]