

# Title 304 WAC

## LIBRARY COMMISSION

**Chapters**

**304-12**  
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**Substantive rules.**  
**Documents depository library system.**  
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**DISPOSITION OF CHAPTERS FORMERLY  
 CODIFIED IN THIS TITLE**

**Chapter 304-25  
 WESTERN LIBRARY NETWORK—WESTERN LIBRARY  
 NETWORK COMPUTER SERVICE**

<p>304-25-010</p> <p>304-25-020</p> <p>304-25-030</p> <p>304-25-040</p> <p>304-25-050</p> <p>304-25-060</p> <p>304-25-070</p> <p>304-25-080</p> <p>304-25-090</p> <p>304-25-100</p> <p>304-25-110</p>	<p>General description of the western library network (WLN). [Statutory Authority: Chapters 27.26 and 43.105 RCW. 85-20-033 (Order 85-02), § 304-25-010, filed 9/24/85. Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-010, filed 1/11/80; Order 2-76, § 304-25-010, filed 10/20/76.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Purpose. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-020, filed 1/11/80; Order 2-76, § 304-25-020, filed 10/20/76.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Definitions. [Statutory Authority: RCW 27.04.030. 86-08-042 (Order 86-01), § 304-25-030, filed 3/27/86. Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-030, filed 1/11/80; Order 2-76, § 304-25-030, filed 10/20/76.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Network organization. [Statutory Authority: RCW 27.04.060. 84-07-020 (Order 84-1), § 304-25-040, filed 3/14/84. Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-040, filed 1/11/80; Order 2-76, § 304-25-040, filed 10/20/76.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>WLN membership. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-050, filed 1/11/80; Order 2-76, § 304-25-050, filed 10/20/76.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>WLN membership responsibilities and rights. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-060, filed 1/11/80; Order 2-76, § 304-25-060, filed 10/20/76.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>WLN representative assembly. [Order 2-76, § 304-25-070, filed 10/20/76.] Repealed by 80-02-041 (Order 1-80), filed 1/11/80. Statutory Authority: Chapter 27.26 RCW.</p> <p>WLN representative assembly, responsibilities and rights. [Order 2-76, § 304-25-080, filed 10/20/76.] Repealed by 80-02-041 (Order 1-80), filed 1/11/80. Statutory Authority: Chapter 27.26 RCW.</p> <p>WLN executive council. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-090, filed 1/11/80; Order 2-76, § 304-25-090, filed 10/20/76.] Repealed by 84-07-020 (Order 84-1), filed 3/14/84. Statutory Authority: RCW 27.04.060.</p> <p>WLN executive council, responsibilities and rights. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-100, filed 1/11/80; Order 2-76, § 304-25-100, filed 10/20/76.] Repealed by 84-07-020 (Order 84-1), filed 3/14/84. Statutory Authority: RCW 27.04.060.</p> <p>Washington state library. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-110,</p>	<p>304-25-120</p> <p>304-25-510</p> <p>304-25-520</p> <p>304-25-530</p> <p>304-25-540</p> <p>304-25-550</p> <p>304-25-555</p> <p>304-25-560</p> <p>304-25-570</p> <p>304-25-580</p> <p>304-25-590</p>	<p>filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Public records available. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-120, filed 1/11/80; Order 2-76, § 304-25-120, filed 10/20/76.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>General description of the western library network computer service. [Statutory Authority: Chapters 27.26 and 43.105 RCW. 85-20-033 (Order 85-02), § 304-25-510, filed 9/24/85. Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-510, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Purpose. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-520, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Definitions. [Statutory Authority: Chapter 27.26 RCW. 87-01-019 (Order 86-03), § 304-25-530, filed 12/10/86; 80-02-041 (Order 1-80), § 304-25-530, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Computer service organization. [Statutory Authority: Chapter 27.26 RCW. 87-01-019 (Order 86-03), § 304-25-540, filed 12/10/86; 80-02-041 (Order 1-80), § 304-25-540, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Computer service membership. [Statutory Authority: Chapter 27.26 RCW. 87-01-019 (Order 86-03), § 304-25-550, filed 12/10/86; 80-02-041 (Order 1-80), § 304-25-550, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Computer service membership responsibilities and rights. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-555, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Network services council. [Statutory Authority: Chapter 27.26 RCW. 87-01-019 (Order 86-03), § 304-25-560, filed 12/10/86. Statutory Authority: RCW 27.04.030. 86-08-042 (Order 86-01), § 304-25-560, filed 3/27/86. Statutory Authority: Chapters 27.26 and 43.105 RCW. 85-20-033 (Order 85-02), § 304-25-560, filed 9/24/85. Statutory Authority: 1976 2nd ex. s. c 31. 83-07-077 (Order 83-2), § 304-25-560, filed 3/23/83. Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-560, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Network services council—Responsibilities and rights. [Statutory Authority: Chapter 27.26 RCW. 87-01-019 (Order 86-03), § 304-25-570, filed 12/10/86. Statutory Authority: Chapters 27.26 and 43.105 RCW. 85-20-033 (Order 85-02), § 304-25-570, filed 9/24/85. Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-570, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Computer service. [Statutory Authority: Chapter 27.26 RCW. 87-01-019 (Order 86-03), § 304-25-580, filed 12/10/86; 80-02-041 (Order 1-80), § 304-25-580, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p> <p>Public records available. [Statutory Authority: Chapter 27.26 RCW. 80-02-041 (Order 1-80), § 304-25-590, filed 1/11/80.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.</p>
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**Chapter 304-12 WAC**  
**SUBSTANTIVE RULES**

**WAC**

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**DISPOSITION OF SECTIONS FORMERLY  
CODIFIED IN THIS CHAPTER**

304-12-010	Policy. [Order 1-72, § 304-12-010, filed 5/24/72; Rules, filed 3/16/60.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.	304-12-191	Network grants. [Order 3542, § 304-12-191, filed 7/11/72.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.
304-12-015	Services grant programs in Washington—Principles. [Order 3542, § 304-12-015, filed 7/11/72; Order, § 304-12-015, filed 6/22/71.] Repealed by 84-07-020 (Order 84-1), filed 3/14/84. Statutory Authority: RCW 27.04.060.	304-12-192	Education and training grants. [Order 3542, § 304-12-192, filed 7/11/72.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.
304-12-020	Washington library planning and development committee created—Appointments—Terms—Expenses. [Statutory Authority: RCW 27.04.060. 84-07-020 (Order 84-1), § 304-12-020, filed 3/14/84.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.	304-12-200	Evolutionary grants—Education for librarianship grants. [Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.] Repealed by Order 3542, filed 7/11/72.
304-12-025	Washington library planning and development committee—Duties. [Statutory Authority: RCW 27.04.030 and 27.04.060. 86-12-067 (Order 86-02), § 304-12-025, filed 6/4/86. Statutory Authority: RCW 27.04.060. 84-07-020 (Order 84-1), § 304-12-025, filed 3/14/84.] Repealed by 96-04-045, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030.	304-12-210	Evolutionary grants—In-service training grants. [Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.] Repealed by Order 3542, filed 7/11/72.
304-12-120	Federal construction grant program—Rules complying with. [Rules, filed 10/19/67; Rules, filed 1/26/67, 7/29/66, 4/8/65; Emergency rules (part), filed 2/8/65, 6/11/64, 4/16/64.] Repealed 6/22/71.	304-12-220	Research and planning grants. [Order 3542, § 304-12-220, filed 7/11/72; Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.
304-12-127	Demonstration programs in Washington—Principles. [Order, § 304-12-127, filed 6/22/71.] Repealed by Order 3542, filed 7/11/72.	304-12-225	Duration. [Order 3542, § 304-12-225, filed 7/11/72; Order, § 304-12-225, filed 6/22/71.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.
304-12-130	Demonstration grant programs—Rules. [Order, § 304-12-130, filed 6/22/71; Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.] Repealed by Order 3542, filed 7/11/72.	304-12-230	State operational grants—Principles. [Rules (part), filed 1/26/67; Rules (part), filed 4/8/65.] Repealed 6/22/71. See WAC 304-12-300.
304-12-150	Other services grant programs—Criteria for other services grant program. [Order, § 304-12-150, filed 6/22/71; Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.] Repealed by Order 3542, filed 7/11/72.	304-12-240	State operational grants—Principles. [Rules (part), filed 1/26/67; Rules (part), filed 4/8/65.] Repealed 6/22/71. See WAC 304-12-305.
304-12-155	Evolutionary grants. [Order 3542, § 304-12-155, filed 7/11/72; Order, § 304-12-155, filed 6/22/71; Rules (part), filed 1/26/67.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.	304-12-250	State operational grants—Definitions. [Rules (part), filed 1/26/67.] Repealed 6/22/71. See WAC 304-12-310.
304-12-160	Evolutionary grants—Duration. [Rules (part), filed 4/8/65.] Repealed 6/22/71. See WAC 304-12-225.	304-12-260	Duration of grants. [Rules (part), filed 4/8/65. Formerly codified as WAC 304-12-160.] Repealed 6/22/71.
304-12-170	Merger grants. [Order 3542, § 304-12-170, filed 7/11/72; Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.	304-12-270	Construction grant program—Principles. [Order 1-75, § 304-12-270, filed 7/21/75; Order, § 304-12-270, filed 6/22/71.] Repealed by 83-13-075 (Order 83-3), filed 6/17/83. Statutory Authority: RCW 27.04.060.
304-12-180	Establishment grants. [Order 3542, § 304-12-180, filed 7/11/72; Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.	304-12-300	State operational grants—Principles. [Order, § 304-12-300, filed 6/22/71. Formerly WAC 304-12-230.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.
304-12-190	Extended service grants. [Order 3542, § 304-12-190, filed 7/11/72; Order, § 304-12-190, filed 6/22/71; Rules (part), filed 4/8/65; Emergency rules (part), filed	304-12-305	State operational grants—Rules and regulations for allocation of operational grants. [Order 1-75, § 304-12-305, filed 7/21/75; Order, § 304-12-305, filed 6/22/71. Formerly WAC 304-12-240.] Repealed by 85-20-032 (Order 85-01), filed 9/24/85. Statutory Authority: RCW 27.04.030.
		Appendix A	[Filed 10/19/67.] Repealed 6/22/71. See WAC 304-12-350, 304-12-360 and 304-12-370.
		Appendix B	[Filed 10/19/67.] Repealed 6/22/71. See WAC 304-12-350, 304-12-360 and 304-12-370.

**WAC 304-12-030 Washington council on continuing education created—Appointments—Terms—Expenses.**  
A Washington council on continuing education is hereby created which shall consist of fifteen persons appointed for three-year terms. Seven persons shall be appointed by the Washington state library commission. The appointments shall reflect representation from a variety of types of library personnel, related persons, including public library trustees, librarians, and at least one nonlibrarian. Nine organizations shall also be represented, each to designate one person assigned responsibility. Those organizations shall be as follows: Washington state library, University of Washington

graduate school of library and information science, Washington library association, Washington library media association, community college library and media specialists, Pacific Northwest chapter of the special library association, council of Spokane area libraries, Pacific Northwest health sciences library service, and the Washington chapter of the association of college and research libraries. Initial terms for organizational representatives will be three years and then two years thereafter. Members may be reappointed; however, no member shall serve more than two terms consecutively. Vacancies shall be filled by appointment for the unexpired term. The council members shall serve without compensation, but will be reimbursed for subsistence, lodging, and travel expenses for council meetings and approved business of the council in accordance with the provisions of the Washington state travel regulations.

[Statutory Authority: RCW 27.04.030. 94-11-023, § 304-12-030, filed 5/6/94, effective 6/6/94; 92-08-023, § 304-12-030, filed 3/23/92, effective 4/23/92. Statutory Authority: RCW 27.04.040. 87-20-070 (Order 87-02), § 304-12-030, filed 10/6/87.]

**WAC 304-12-035 Washington council on continuing education—Duties.** (1) The council shall provide a forum for continuing education providers and library personnel to discuss issues relating to continuing education.

(2) The council shall work with state library staff to coordinate state-wide continuing education activities where appropriate.

(3) The council shall look for potential areas of cooperation and joint funding of continuing education activities including funding alternatives.

(4) The council shall provide leadership and advocacy in the development of continuing education policy and quality activities.

[Statutory Authority: RCW 27.04.040. 87-20-070 (Order 87-02), § 304-12-035, filed 10/6/87.]

**WAC 304-12-040 Washington state advisory council on libraries created—Appointments—Terms—Expenses.**

A Washington state advisory council on libraries is hereby created which shall consist of no more than fifteen persons appointed for three year terms. Up to fourteen members shall be appointed by the Washington state library commission. Appointees shall be librarians or others that represent a broad spectrum of demographic groups and a wide variety of sizes and types of libraries. The commission shall confirm the one remaining member who shall be the president-elect or a designee of the Washington library association. Initial terms shall be determined by lot, with one-third serving one year, one-third serving two years and one-third serving three years. Appointments shall be made in June of each year. Members may be reappointed, however, no member shall serve more than two terms consecutively. Vacancies shall be filled by appointment for the unexpired term. The council members shall serve without compensation, but will be reimbursed for subsistence, lodging and travel expenses for council meetings and approved business of the council in accordance with the provisions of the Washington state travel regulations.

[Statutory Authority: RCW 27.04.030 and 27.04.060. 86-12-067 (Order 86-02), § 304-12-040, filed 6/4/86.]

(1999 Ed.)

**WAC 304-12-045 Washington state advisory council on libraries—Duties.** The council shall act as an advisory body to the Washington state library commission and staff on the development and execution of the federally-funded program of library service.

[Statutory Authority: RCW 27.04.030 and 27.04.060. 86-12-067 (Order 86-02), § 304-12-045, filed 6/4/86.]

**WAC 304-12-050 Privacy of library circulation records policy.** (1) The circulation records of the Washington state library are confidential regardless of source of inquiry.

(2) Circulation records shall not be made available to anyone except pursuant to such process, order, or subpoena as may be authorized by law.

(3) Upon receipt of such process, order, or subpoena, consultation shall be made with the legal officer assigned to the library to determine if such process, order, or subpoena is in good form and if there is a showing of good cause for its issuance.

(4) If the process, order, or subpoena is not in proper form or if good cause has not been shown, insistence shall be made that such defects be cured before any records are released. (The legal process requiring the production of circulation records shall ordinarily be in the form of subpoena *duces tecum* (bring your records), requiring the librarian to attend court or the taking of his or her deposition and may require him to bring along certain designated circulation records.)

(5) Any threats or unauthorized demands (i.e., those not supported by a process, order or subpoena) concerning circulation records shall be reported to the state library commission and attorney general.

(6) Any problems relating to the privacy of circulation records which are not provided for in the above five paragraphs are to be referred to the chief of reader services or to the state librarian.

[Order 1-72, § 304-12-050, filed 5/24/72.]

**WAC 304-12-070 Washington state library gift policy.** (1) The Washington state library welcomes gifts.

(2) The Washington state library commission also welcomes donations from interested organizations or individuals for the purpose of recognizing an individual's outstanding contribution to the improvement of the state library or to the statewide library development. It is felt that such donations should be in the nature of significant additions to the informational resources of the state library or equipment of permanent value to the state library rather than a plaque or similar nonproductive items. As a rule, additions to the library's collection will be appropriately marked and become part of the general collection. Exceptions may be made by the state library commission if, in the judgment of the state library staff, the usefulness of the materials being donated will be enhanced by special treatment.

The Washington state library commission affirms one of the purposes of the library to be the collection, preservation and occasional exhibition materials on the history of the state and the region, and the commission adopts the following

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points as governing policy in acquisition of historical materials:

(a) The library welcomes gifts of materials on the history of Washington communities, the state and the pacific north-west region.

(b) The library considers its collection of materials by Washington authors to be of major contemporary and historical significance and welcomes gifts which may be included in the collection.

(c) Inasmuch as the state library is not a museum it rarely accepts objects other than printed or manuscript material.

In keeping with accepted practice, the library reserves the privilege of deciding whether a gift should be added to the collection.

All gift material added to the collection will become an integral part of the collection and becomes the property of the library, the policy of use will follow regular state library practice.

The library will make an effort to dispose of the best advantage all gift material which is not added to the collection, however, if a donor wishes, the material which is not added to the collection may be returned.

When the library receives a cash gift for the purchase of memorial, tribute or other materials, the selection will be made by the donor and/or the library.

[Order 1-72, § 304-12-070, filed 5/24/72.]

#### **WAC 304-12-125 General statement of criteria. (1)**

In a free and open society the mission of libraries is to be aware of individuals' need for knowledge and personal growth and to respond to those needs by providing access to the wisdom, experience and imagination of mankind.

(2) The state agency's criteria for determining the adequacy of library service to the public are:

(a) That ninety percent of the requests by library users for specific titles is available through their library in a manner that is satisfactory to the users.

(b) That ninety percent of the requests by library users for works by a particular author or creator is available through their library in a manner that is satisfactory to the users.

(c) That ninety percent of the requests by library users for materials on a specific subject is available through their library in a manner that is satisfactory to the users.

(d) That ninety percent of the requests by library users for information is answered through their library in a manner that is satisfactory to the users.

(e) That ninety percent of the people in a library's service area is aware of the kinds of services provided by their library.

(f) That the percentage of use by each demographic group as defined in the Library Services and Construction Act regulations is the same, +/- fifteen percent, based on the highest percentage of use.

The determination of adequacy is made by comparing these criteria with annual reports which by law must be submitted to the state agency by each public library.

In allocating library services and construction funds, special consideration will be given to library programs, research and projects which:

(i) Serve disadvantaged persons residing in urban or rural areas with high concentrations of low-income families and to areas with high concentrations of persons with limited English speaking ability;\*

(ii) Serve persons residing in sparsely settled areas of the state which are distant from adequate public library facilities;

(iii) Serve physically handicapped persons (including the blind or other visually handicapped);

(iv) Serve inmates, patients, or residents of penal institutions, reformatories, residential training schools, orphanages, residential schools for handicapped persons, and other general or special institutions or hospitals operated or substantially supported by the state;

(v) Serve persons residing in areas of the state having no local public library service;

(vi) Extend the range and improve the qualities of career development opportunities for people of all ages without regard to educational level;

(vii) Lead to the improvement and efficient management of library resources, both human and material, and which provide to all people maximum accessibility to those resources;

(viii) Strengthen metropolitan public libraries which serve as national or regional resource centers.

Footnote: \*In accord with requirements of the Library Services and Construction Amendments of 1970 (Public Law 91-600) and the Code of Federal Regulations (45 CFR Part 130) priority will be given to (i) above, i.e. programs or projects which serve urban and rural areas with high concentrations of low-income families and to programs and projects which serve areas with high concentrations of persons with limited English-speaking ability (as defined by PL 93-380, Education Amendments of 1974).

These areas are defined as those areas with low-income families or with concentrations of non-English speaking persons as reported in U.S. Bureau of Census 1970 PC (1)-C Series: General Social and Economic Characteristics. Low-income families are defined as those with annual incomes as designated by federal agencies. This information will be updated through publications of the Washington state office of economic opportunity.

Programs and priorities will change as needs in the state change or as revised federal regulations and/or new federal legislation may require.

Where applicable, an evaluation component will be a part of each project.

Where applicable, each grant request should contribute toward the achievement of the existing Washington state plan for library development, now called the Proposed Regional Library Plan for Washington by Charles Bowerman, 1950, or any plan which supersedes this existing plan.

Programs may also be developed across state lines when such inclusion meets the standards set forth and will contribute to the basic objectives of library development in Washington state. Interstate compact legislation facilitates such programs.

[Statutory Authority: RCW 27.04.060. 84-07-020 (Order 84-1), § 304-12-125, filed 3/14/84; Order 1-75, § 304-12-125, filed 7/21/75; Order 3542, § 304-12-125, filed 7/11/72; Order, § 304-12-125, filed 6/22/71.]

**WAC 304-12-140 Other services grant programs—Principles. (1) Basic to Washington's program of library development are the following elements:**

(a) Encouraging and facilitating of cooperation among all types of libraries, and between libraries and other agencies.

(b) Providing trustees of public libraries with continuing education opportunities which will enhance their board skills and expand their awareness of library issues and trends.

(c) Assisting in the determination and implementation of effective service areas for libraries.

(d) Providing, improving, and strengthening all levels of continuing education and staff development for library service providers.

(e) Initiating and encouraging library planning and research.

(f) Stimulating the concern of citizens for quality library service through effective marketing.

(g) Assisting in community efforts to overcome adult illiteracy.

(h) Advancing the utilization of library-related automation and technology for the provision of quality library service.

(i) Improving document delivery methods to better serve library patrons.

(j) Providing services geared to children, young adults and other special age groups such as the elderly.

(2) The Washington state library commission is receptive to request which may include areas not yet specifically stated as eligible. The guiding principle upon which items are included has been and will be whether or not the proposal will make, or has the potential to make, a permanent contribution to the improvement and development of library service in our state. Also basic is the principle that grant funds do not take the place of local funds, but are to be used to support costs which cannot be considered a legitimate responsibility of the area requesting the grant or which constitute a temporary emergency.

[Statutory Authority: RCW 27.04.030 and 27.04.060. 87-07-029 (Order 87-01), § 304-12-140, filed 3/13/87. Statutory Authority: RCW 27.04.030. 85-20-032 (Order 85-01), § 304-12-140, filed 9/24/85; Order 1-75, § 304-12-140, filed 7/21/75; Order 3542, § 304-12-140, filed 7/11/72; Order, § 304-12-140, filed 6/22/71; Rules (part), filed 4/8/65; Emergency rules (part), filed 2/8/65.]

#### **WAC 304-12-145 Other services grant programs—**

**Rules.** Up to a total of five percent of allowable costs to be claimed against the grant award will be deferred until the subgrantee's close out form has been approved by the Washington State Library.

[Statutory Authority: RCW 27.04.030. 96-04-045, § 304-12-145, filed 2/5/96, effective 3/7/96. Statutory Authority: RCW 27.04.030 and 27.04.060. 86-12-067 (Order 86-02), § 304-12-145, filed 6/4/86.]

#### **WAC 304-12-275 Construction grant program—**

**Criteria.** (1) The state agency's criteria for the consideration and award of construction grants shall be:

(a) Evidence this facility will initiate a program of improvement of library service, within the context of the applicant's goals and objectives for local library services.

(b) Evidence that the community has made adequate effort to provide local financing.

(c) Evidence that federal funds are not a substitute for local support.

(2) Factors which will be considered in establishing priorities among requests received:

(a) Need for the facility in relationship to the local program of library development.

(b) Number of persons to be benefited by improved service.

(c) Evidence the facility will, in fact, initiate a program of improvement of library service.

(d) Date of application.

(e) Such additional factors as may from time to time be established by congress or the Washington state legislature for special funds for construction of public libraries.

(3) Supporting evidence which helps provide information on the above points will be requested of applicants.

(4) The federal law requires that certain standards will be met. These requirements will be included in agreements between the Washington state library commission and the applicants. The requirements concern such items as:

(a) Wages meet local standards.

(b) Time and half for overtime.

(c) Fair employment practices.

(d) Proper bid procedures (where applicable).

(e) Observance of health, fire and construction requirements.

(f) Civil rights.

(g) Flood.

(h) Handicapped.

[Statutory Authority: RCW 27.04.060. 83-13-075 (Order 83-3), § 304-12-275, filed 6/17/83; Order, § 304-12-275, filed 6/22/71.]

**WAC 304-12-290 Construction grant program—**  
**Rules.** The following final rules and regulations were adopted by the Washington state library commission in order to comply with the provisions of the Library Services and Construction Act of 1969 (formerly Public Law 88-269; Public Law 89-511 and now Public Law 91-600).

(1) Only projects to be owned by a state or local public agency are eligible for consideration.

(2) Requests for projects from any unit within a library district must be submitted with approval by the respective district library administration.

(3) Applicants will be required to give written evidence of official approval of any governmental unit involved in the project.

(4) Agreements to observe the legal requirements of the grants will be executed between the Washington state library commission and the officials administering approved projects.

(5) Applicants will be required to submit adequate evidence for evaluation of their request on the points established as criteria for evaluation by the Washington state library commission.

(6) Each application will be acknowledged and each applicant notified when the project will be considered by the state library commission.

(7) Each applicant will be notified concerning acceptance or rejection by the state library commission within ten days of such official action.

(8) Rejected applications will be accompanied by a statement as to why the project was not approved.

(9) Rejected applications may be resubmitted with evidence the objections have been met.

(10) Any applicant who feels their request has been unjustly rejected may request a hearing. Said hearing will be set to meet the convenience of both the Washington state library commission and the applicant insofar as is reasonably possible.

[[11]] Certification must be presented that local funds are on hand.

(12) Submission of a schedule of the planned progress of the project with estimated dates each step will be completed, is required.

[[13]] Upon receipt of formal approval by the state library commission, the project must be initiated within a six months' period.

[[14]] The building plans must meet the approval of the state library. Federal regulations, including but not limited to, evaluation of flood hazards, provision for the physically handicapped, environmental policies and procedures, and competitive bidding must be observed.

[[15]] When a plaque indicating completion date and source of funds is planned as part of the completed building or when a construction site sign is planned, acknowledgment shall be given to federal participation.

[[16]] The state library commission will establish a completion date, based upon the project architect's estimate of the time needed. A project is considered to be completed when it has been opened to the public for service.

[[17]] Expenses related to acquisition of an existing building or of land, architect's fees, preliminary planning and capital improvements mandated by law or regulation may be considered an allowable previous expense and used as matching funds. To be considered an allowable previous expense, the following criteria must be met:

(a) Expenses must be incurred within a three-year period prior to the date of award of the grant by the state library commission.

(b) Expenses must directly relate to the grant project.

(c) Type of funds used must meet allowable match criteria for Library Services and Construction Act projects.

(d) Expenditures must meet all federal regulations applicable to Library Services and Construction Act projects.

[[19]] Five percent of the federal share of the project will be withheld as the final payment. Final payment of the grant will be made upon completion of the project and when the state library commission has been satisfied that all conditions of the grant have been met, including the completion of a successful audit.]]

[[18]] Up to a total of five percent of allowable costs to be claimed against the grant award will be deferred until the subgrantee's grant close out form has been approved by the Washington state library. Further, subgrantee must document expenditures of nonfederal funds in an amount equal to or greater than the specific state share percent proscribed for Washington state by U.S. Department of Education in implementation of the LSCA, or the national general fifty percent federal construction match] proscribed for LSCA, whichever is greater. This rate is defined as the federal match expenditure rate, and until subgrantees have expended the required amount of nonfederal funds, all claims submitted for payment will be funded at this rate.

(19) When changes in federal regulations affect the above without sufficient time for formal notice and change, federal regulations will be considered as official.

(20) Projects are reviewed by the agency designated by the governor as federal coordinator.

(21) The advisory council will be kept fully informed as to pending projects, and progress of the approved project.

(22) Participants in federally-funded projects will cooperate with the advisory council during the period of evaluation.

[Statutory Authority: RCW 27.04.030, 96-04-045, § 304-12-290, filed 2/5/96, effective 3/7/96. Statutory Authority: Chapter 27.04 RCW, 88-07-087 (Order 88-03), § 304-12-290, filed 3/21/88. Statutory Authority: RCW 27.04.030 and 27.04.060, 86-12-067 (Order 86-02), § 304-12-290, filed 6/4/86. Statutory Authority: RCW 27.04.060, 83-13-075 (Order 83-3), § 304-12-290, filed 6/17/83; Order, § 304-12-290, filed 6/22/71.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 304-12-360 Forms—Application—Public library construction grant.** Applicants shall submit their project proposal upon the form designated by the library commission. The form will solicit, at minimum, information about the applicant's library program, its plan of library service, a building program for the application in question, preliminary estimates of cost, sources of funds, and plan for payment.

[Statutory Authority: RCW 27.04.060, 83-13-075 (Order 83-3), § 304-12-360, filed 6/17/83; Order, § 304-12-360, filed 6/22/71.]

**WAC 304-12-370 Forms—Contract.** Upon award of the grant, the Washington state library commission shall enter into a contract with the legislative unit of the awardee. The contract shall describe the project to be undertaken, shall set forth matters of agreement to ensure compliance with federal and state regulations, shall state the amount of funds to be provided by the library commission in the award and the conditions for payment of same, and shall state requirements for necessary records and documents to be maintained and filed with the library commission.

[Statutory Authority: RCW 27.04.060, 83-13-075 (Order 83-3), § 304-12-370, filed 6/17/83; Order, § 304-12-370, filed 6/22/71.]

**WAC 304-12-380 Rules and regulations for aid to library districts—Principle.** (1) Funds were appropriated to aid local library districts in maintaining present levels of library service.

(a) There will be a grant for each library district with a loss in tax funds.

(b) Any library district that has special circumstances to present for an allocation will be given consideration.

(c) If funds are not adequate to meet all needs, it will be the responsibility of the Washington state library commission to make a decision as to how the funds can best be disbursed to achieve the objective of maintaining present levels of library service in local library districts in the state of Washington.

[Order 2-73, § 304-12-380, filed 8/14/73.]

## Chapter 304-16 WAC

## DOCUMENTS DEPOSITORY LIBRARY SYSTEM

## WAC

304-16-010	Rules and regulations.
304-16-020	Standards.

**WAC 304-16-010 Rules and regulations.** (1) The Washington state library will publish a basic list of documents at least annually to include an author, title and subject index to the annual list.

(2) Prepare a monthly supplement to the basic list. At least one copy of each basic list and each basic supplement will be sent to each depository library.

(3) Indicate in the monthly supplement if a publication has been sent to the depositories, availability, etc.

(4) Ship documents at least once a week to all full depository libraries.

(5) Provide the Washington state library classification number and other pertinent cataloging data in each shipment for each new document title distributed as a suggested aid to other libraries in the organization of the documents.

(6) Confirm with state agencies as specified in RCW 40.06.030 the number of copies needed for distribution to libraries prior to publication.

(7) The Washington state library shall develop, in consultation with state agencies, periodically review and distribute to depository libraries, the criteria for classification of documents as depository items.

(8) All library inquiries, special requests, etc., concerning requests for state documents [for libraries] which are directed to state agencies will be channeled through the state library.

(9) There will be periodic revisions of number of copies needed by libraries.

[(10)] Libraries should send to the state library names of every state agency on whose mailing list they are currently listed.

(11) If disagreement develops on designation of a library as a depository, a committee of arbitration will be set up by the president of the Washington Library Association acting under instructions from the Washington Library Association executive board. Any staff member of any library involved who is also on the Washington Library Association board will be ineligible to be a member of the arbitration panel.

[Statutory Authority: RCW 27.04.030, 40.06.020, and 40.06.040. 79-01-056 (Order 1-78), § 304-16-010, filed 12/27/78; Order, § 304-16-010, filed 10/24/68; Order, filed 10/19/65.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 304-16-020 Standards.** (1) There will be two classes of depository libraries in Washington. These will be full and partial. Full depositories shall receive copies of all state publications for distribution by the state library. Partial depositories shall receive at least a core of general interest publications deemed essential to the public interest. Any other library in the state may request specific documents and, if it is at all possible, the request will be filled.

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(2) Any library designated as a depository shall meet the conditions specified in the following section:

(a) Provide space to house the publications in an approved manner with adequate provisions for expansion. State publications do not need to be maintained in a separate collection unless the receiving library prefers to do so. Housing in a vertical file rather than on shelves is acceptable for appropriate pamphlet-type materials.

(b) Provide an orderly, systematic recording of receipt of the documents.

(c) Process and shelve all state publications within 30 days after receipt of the material.

(d) Provide a professionally trained librarian to render satisfactory service without charge to qualified patrons in the use of such publications. This librarian need not spend full time on state publications.

(e) Dispose of publications only with permission of the state librarian. The state librarian shall establish criteria for disposal schedules for items which need not be retained permanently.

(f) Accept and maintain all publications received as depository documents.

(g) Library rules must assure that the documents are available for public use and circulation, unless for some unusual reason it becomes necessary to restrict use.

(3) There will be at least twelve full depositories in the state. Additional depositories will be established as advisable to provide adequate public access to Washington state publications.

(4) The state library shall ensure that the rules, regulations and standards are maintained.

[Statutory Authority: RCW 27.04.030, 40.06.020, and 40.06.040. 79-01-056 (Order 1-78), § 304-16-020, filed 12/27/78; Order, § 304-16-020, filed 10/24/68; Order, filed 10/19/65.]

## Chapter 304-20 WAC

## PUBLIC RECORDS

## WAC

304-20-010	Public records available.
304-20-020	Definitions.
304-20-030	Public records officer.
304-20-040	Requests for public records.
304-20-050	Copying.
304-20-060	Exemptions.
304-20-070	Review of denials of public records requests.
304-20-080	Records index.
304-20-090	Request for records by mail—Address.
304-20-100	Adoption of form.
304-20-990	Appendix A—Request for public records.

**WAC 304-20-010 Public records available.** All public records of the Washington state library, as defined in WAC 304-20-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by section 31, chapter 1, Laws of 1973, and WAC 304-20-060.

[Order 1-76, § 304-20-010, filed 4/22/76.]

**WAC 304-20-020 Definitions.** (1) **Public records.** "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned,

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used, or retained by any state or local agency regardless of physical form or characteristics.

(2) **Writing.** "Writing means handwriting, typewriting, printing, 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."

[Order I-76, § 304-20-020, filed 4/22/76.]

**WAC 304-20-030 Public records officer.** The Washington state library's public records shall be in the charge of the public records officer designated by the agency. The person so designated shall be located in the administrative office of the agency. The public records officer shall be responsible for the following: The implementation of the Washington state library's rules and regulations regarding release of public records, coordinating the staff of the system in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

[Order I-76, § 304-20-030, filed 4/22/76.]

**WAC 304-20-040 Requests for public records.** In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect excessive interference with essential functions of the agency, public records may be inspected 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 Washington state library which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the library's staff, if the public records officer is not available, at the administrative office of the library 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 library'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 I-76, § 304-20-040, filed 4/22/76.]

**WAC 304-20-050 Copying.** No fee shall be charged for the inspection of public records. The agency shall charge a fee equal to the amount necessary to reimburse the agency for its actual costs incident to such copying.

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[Order I-76, § 304-20-050, filed 4/22/76.]

**WAC 304-20-060 Exemptions.** (1) The library reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 304-20-040 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 library 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.

(4) The library will regard the disclosure of any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user, as an invasion of privacy.

[Statutory Authority: RCW 27.04.030, 83-07-076 (Order 83-1), § 304-20-060, filed 3/23/83; Order I-76, § 304-20-060, filed 4/22/76.]

**WAC 304-20-070 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 librarian. The librarian shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the state library commission as soon as legally possible 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 library has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order I-76, § 304-20-070, filed 4/22/76.]

**WAC 304-20-080 Records index.** (1) **Index.** The library has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972:

"(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 library 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 I-76, § 304-20-080, filed 4/22/76.]

**WAC 304-20-090 Request for records by mail—**

**Address.** All communications with the library 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 library's decisions and other matters, shall be addressed as follows: Washington State Library, Olympia, Washington 98504.

[Order I-76, § 304-20-090, filed 4/22/76.]

**WAC 304-20-100 Adoption of form.** The library 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 I-76, § 304-20-100, filed 4/22/76.]

**WAC 304-20-990 Appendix A—Request for public records.**

APPENDIX A  
REQUEST FOR PUBLIC RECORDS

**Name of Requestor:**

**Address:**

**Phone:**

**Date of Request:**

**Time of Request:**

**Nature of Request:**

1. Index Reference .....

2. If not identifiable by reference to the index, then describe the document(s) in detail .....

.....  
.....

Signature .....

**For Office Use Only:**

(1) Request                      Record  
                    Granted               Withheld               In Part

(2) If withheld, name the exemption contained in section 31, chapter 1, Laws of 1973, which authorizes the withholding of the record or part of record:      Subsection (1)( ).

(3) If withheld, briefly explain how the exemption applies to the record withheld.

(4) If request granted, time. . . . ., day . . . . .

[Order I-76, Appendix A (codified as WAC 304-20-990), filed 4/22/76.]