

Chapter 132L-276 WAC

PUBLIC RECORDS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132L-276-030	Description of central and field organization of Community College District No. 12. [Order 73-20, § 132L-276-030, filed 5/18/73.] Repealed by WSR 04-19-062, filed 9/15/04, effective 10/16/04. Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW.
132L-276-040	Operations and procedures. [Order 73-20, § 132L-276-040, filed 5/18/73.] Repealed by WSR 04-19-062, filed 9/15/04, effective 10/16/04. Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW.
132L-276-090	Copying. [Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-090, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-090, filed 5/18/73.] Repealed by WSR 17-23-024, filed 11/6/17, effective 12/7/17. Statutory Authority: RCW 46.56.120 and 2017 c 304.

WAC 132L-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by Centralia College with the provisions of chapter 42.17 RCW.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-010, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-010, filed 5/18/73.]

WAC 132L-276-020 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, used or retained by Centralia College regardless of physical form or characteristics, except those student records exempted by the Family Educational Rights and Privacy Act of 1974, known as FERPA or the "Buckley Amendment" (U.S.C. 1232g and 34 C.F.R. 99) as amended.

(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."

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-020, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-020, filed 5/18/73.]

(11/6/17)

WAC 132L-276-050 Public records available. All public records of the college, as defined in WAC 132L-276-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by chapter 42.17 RCW and WAC 132L-276-100. Records may be requested from the public records officer located in the Human Resources Office, Hanson Administration Building.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-050, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-050, filed 5/18/73.]

WAC 132L-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 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 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-060, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-060, filed 5/18/73.]

WAC 132L-276-070 Office hours. Public records shall be available for inspection and copying during the open office hours of the college.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 13-12-041, § 132L-276-070, filed 5/30/13, effective 6/30/13; WSR 04-19-062, § 132L-276-070, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-070, filed 5/18/73.]

WAC 132L-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 the office outlined in WAC 132L-276-050. The form shall be presented to the public records officer and/or his designee, at the Hanson Administrative Building during customary office hours.

(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 designee, to assist the member of the 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, within five business days after the day of request:

(a) Make the requested document available, or
 (b) State that such a document does not exist, or
 (c) Ask for clarification of the document requested, or
 (d) Deny access because the document is exempt from public inspection under chapter 42.17 RCW, WAC 132L-276-050, and 132L-276-100.

(4) Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine if the information requested is exempt.

(5) If the intent of the request is not clear, the public records officer may request clarification from the requestor. The public records officer does not need to respond to the request if the requestor fails to clarify the request.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-080, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-080, filed 5/18/73.]

WAC 132L-276-085 Charges for public records. Calculating the actual costs of charges for providing public records is unduly burdensome because it will consume scarce college resources to conduct a study of actual costs, and it is difficult to accurately calculate all costs directly incident to copying records, including equipment and paper costs, data storage costs, electronic production costs, and staff time for copying and sending requested records. Instead of calculating the actual costs of charges for records, the college president or designee shall establish, maintain, and make available for public inspection and copying a statement of costs that the college charges for providing photocopies or electronically produced copies of public records, and such charges for records shall not exceed the maximum default charges allowed in RCW 42.56.120 (2)(b). The college may also use any other method authorized by the Public Records Act for imposing charges for public records including, but not limited to, charging a flat fee, charging a customized service charge, or charging based on a contract, memorandum of understanding, or other agreement with a requestor. The college may waive charges assessed for records when the public records officer determines collecting a fee is not cost effective.

[Statutory Authority: RCW 46.56.120 and 2017 c 304. WSR 17-23-024, § 132L-276-085, filed 11/6/17, effective 12/7/17.]

WAC 132L-276-100 Exemptions. (1) The college reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132L-276-080 is exempt under the provisions of chapter 42.17 RCW.

(2) In addition, pursuant to chapter 42.17 RCW, the college 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 42.17 RCW. The college also reserves the right not to disclose records consistent with specific exemptions identified in chapter 42.17 RCW. The public records officer and/or his designee will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for

the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-100, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-100, filed 5/18/73.]

WAC 132L-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 designee 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 designee denying the request shall refer it to the district 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 attorney general to review the denial. 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 college has returned the petition with a decision or until the close of the fifth business day following denial of inspection, whichever occurs first.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-110, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-110, filed 5/18/73.]

WAC 132L-276-120 Protection of public records. (1) No person shall knowingly alter, deface, or destroy public records of Centralia College.

(2) Care and safekeeping of public records of Centralia College, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.

(3) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.

(4) Boisterous or otherwise disruptive conduct by those requesting public records of Centralia College shall not be permitted.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-120, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-120, filed 5/18/73.]

WAC 132L-276-130 Records index. (1) Index. The public records officer and/or his or her designee have available to all persons a current index which provides identifying information as to those records adopted or promulgated and indexed since January 1, 1973, which are deemed by Centralia College to fall within the purview of RCW 42.17.260 and WAC 132L-276-020.

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

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-130, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-130, filed 5/18/73.]

WAC 132L-276-140 Request for public record—

Form. The college hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-140, filed 9/15/04, effective 10/16/04; Order 73-20, § 132L-276-140, filed 5/18/73.]

WAC 132L-276-900 Appendix "A"—Request for public record to Centralia College.

REQUEST FOR PUBLIC RECORDS

To: Public Records Officer
Centralia College

DATE OF REQUEST
TIME OF REQUEST

PUBLIC RECORDS OR INFORMATION REQUESTED

REQUESTED BY
NAME:

ORGANIZATION:

MAILING ADDRESS:

REQUESTER READ AND SIGN

COMPLETED BY PUBLIC RECORDS OFFICER

ACKNOWLEDGMENT OF RECEIPT

I understand that I must abide by the rules and regulations published by Centralia College for the protection of public records, a copy of which I have read and understand.

NO. OF COPIES AMOUNT RECEIVED DATE OF RECEIPT TIME OF RECEIPT

PUBLIC RECORDS OFFICER SIGNATURE

RECIPIENT'S SIGNATURE

REASON IF UNABLE TO COMPLY:

I understand that I will be charged per copy for all standard letter size copies I desire and that other size publications are available at cost.

REQUESTOR'S SIGNATURE

Public records of Centralia College are provided for inspection and copying subject to the following regulations:

WAC 132L-276-120 Protection of public records.

REQUEST FOR PUBLIC RECORDS

- (1) No person shall knowingly alter, deface, or destroy public records of Centralia College.
- (2) Care and safekeeping of public records of Centralia College, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.
- (3) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.
- (4) Boisterous or otherwise disruptive conduct by those requesting public records of Centralia College shall not be permitted.

I have read, understand, and will comply with the above-stated regulations.

Requestor's Signature and Date

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. WSR 04-19-062, § 132L-276-900, filed 9/15/04, effective 10/16/04; Order 73-20, Appendix A (codified as WAC 132L-276-900), filed 5/18/73.]