

WAC 437-06-070 Disclosure procedure. (1) The public records officer shall acknowledge receipt of request within five business days. The public records officer or designee will do one or more of the following:

- (a) Make the records available for inspection or copying;
- (b) If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;
- (c) Provide a reasonable estimate of when records will be available; or
- (d) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer or designee may revise the estimate of when records will be available; or
- (e) Deny the request.

(2) The public records officer shall review file materials prior to disclosure.

(3) If the file does not contain materials exempt from disclosure, the public records officer shall ensure full disclosure.

(4) If the file does contain materials exempt from disclosure, the public records officer shall deny disclosure of those exempt portions of the file and will provide a written statement explaining the reason for denial. The remaining nonexempt materials shall be fully disclosed pursuant to WAC 437-06-050.

(5) The statement of denial shall include:

(a) The specific exemption that authorizes the commission to withhold the record; and

(b) A brief explanation of how the exemption applies to the record the commission withheld.

(6) Any person continuing to seek disclosure, after having received a written explanation for nondisclosure, may request a review under the provisions of WAC 437-06-080.

[Statutory Authority: RCW 9.94A.850 and chapter 34.05 RCW. WSR 09-21-107, § 437-06-070, filed 10/21/09, effective 11/21/09. Statutory Authority: Chapter 9.94A RCW. WSR 84-23-048 (Order 84-01), § 437-06-070, filed 11/19/84.]