

WAC 392-105-060 Costs of providing copies of public records.

(1) **Inspection.** The agency does not charge a fee for the inspection of public records, either in person or on the agency's website.

(2) **Statutory default costs.** Pursuant to RCW 42.56.120(2), the agency declares for the following reasons that it would be unduly burdensome to calculate the actual costs it charges for providing copies of public records:

(a) Funds were not allocated for performing a study to calculate such actual costs and the agency lacks the necessary funds to perform a study and calculations;

(b) Staff resources are insufficient to perform a study and to calculate such actual costs; and

(c) A study would interfere with and disrupt other essential agency functions.

(3) **Fee schedule.**

(a) The agency may charge fees for production of copies of public records consistent with the fee schedule established in RCW 42.56.120 and as published in the agency's fee schedule available on the agency website at www.k12.wa.us.

(b) The agency will charge the actual amount charged by an external vendor for records copied by an external vendor including records in nonstandard sizes or formats as published in the agency's fee schedule available on the agency website at www.k12.wa.us.

(4) **Processing payments.** Before copying public records, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all of the records. The public records officer or designee may require payment of the remainder of the copying costs before providing all of the records, or the payment of costs of copying an installment before providing the installment. The agency will not charge sales tax when it makes copies of public records.

(5) **Customized electronic access services.** At the agency's sole discretion, the agency may provide customized electronic access to public records if the agency estimates that the request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by the agency for other agency purposes. The agency will charge the actual costs, including staff time, necessary to reimburse the agency for providing customized electronic access services.

(6) **Costs of mailing.** The agency may also charge actual costs of mailing, including the costs of the shipping container.

(7) **Payment of fees.** The agency will not release any requested copies of public records unless and until the requestor has paid all copying and other charges as set forth in this section.

(8) **Waiver of fees.** The agency may waive any charges for providing public records at the discretion of the public records officer. This determination will be made on a case-by-case basis.

[Statutory Authority: RCW 28A.300.040 and 2017 c 304. WSR 18-13-060, § 392-105-060, filed 6/14/18, effective 7/15/18. Statutory Authority: RCW 42.17.250 - [42.17].320. WSR 93-07-039 (Order 93-05), § 392-105-060, filed 3/11/93, effective 4/11/93; WSR 92-10-016 (Order 92-04), § 392-105-060, filed 4/28/92, effective 5/29/92.]