

# Chapter 132R-175 WAC

## PUBLIC RECORDS

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

132R-175-990	Appendix A—Request for public record. [Order 73-8, Appendix A (codified as WAC 132R-175-990), filed 5/4/73.] Repealed by 78-02-017 (Order 3), filed 1/11/78. Statutory Authority: RCW 28B.50.140. Later promulgation, see WAC 132R-175-160.
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**WAC 132R-175-010 Purpose.** The purpose of this chapter shall be to ensure compliance by the Community College District No. 18 with the provisions of chapter 42.17 RCW, Disclosure—Campaign finances—Lobbying—Records; and in particular with RCW 42.17.250 through 42.17.348 that deal with public records.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-010, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-010, filed 5/4/73.]

**WAC 132R-175-020 Definitions.** (1) "Public record" indicates any writing containing information relating to the conduct of government 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" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

(3) "Community College District No. 18" was established pursuant to the Community College Act of 1967. Community College District No. 18 shall hereinafter be referred to as the "district." Where appropriate, the term Community College District No. 18 also refers to the staff and employees of the Community College District No. 18.

(7/14/03)

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-020, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-020, filed 5/4/73.]

**WAC 132R-175-030 Description of central and field organization of Community College District No. 18.** The Community College District No. 18 is an institution of higher education. The administrative office of the district and its staff are located at Moses Lake, Washington.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-030, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-030, filed 5/4/73.]

**WAC 132R-175-040 Operations and procedures.** Community College District No. 18 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. 18 and on file in the office of the president of Big Bend Community College.

[Order 73-8, § 132R-175-040, filed 5/4/73.]

**WAC 132R-175-050 Public records available.** All public records of the district, as defined in WAC 132R-175-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-050, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-050, filed 5/4/73.]

**WAC 132R-175-060 Public records officer.** The district's public records shall be managed by the public records officer as designated by the district. The person so designated shall be located in the business 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 42.17 RCW.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-060, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-060, filed 5/4/73.]

**WAC 132R-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 73-8, § 132R-175-070, filed 5/4/73.]

**WAC 132R-175-080 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 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 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.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-080, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-080, filed 5/4/73.]

**WAC 132R-175-090 Copying.** No fee shall be charged for the inspection of public records. The district shall charge a fee of twenty-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. At least five working days may be required to provide copies of public records.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-090, filed 7/14/03, effective 8/14/03. Statutory Authority: RCW 28B.50.140. 78-02-017 (Order 3), § 132R-175-090, filed 1/11/78; Order 74-22, § 132R-175-090, filed 12/23/74; Order 73-8, § 132R-175-090, filed 5/4/73.]

**WAC 132R-175-100 Exemptions.** (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132R-175-080 is exempt under the provisions of RCW 42.17.310. 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.

(2) In addition, pursuant to chapter 42.17 RCW, the district reserves the right to delete/redact portions of documents. If deletions/redactions are made they will be accompanied by a written statement specifying the reason for the deletion/redaction, including a statement of the specific exemp-

tion authorizing the deletion/redaction and a brief explanation of how the exemption applies to the information which is deleted/redacted.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-100, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-100, filed 5/4/73.]

**WAC 132R-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 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 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 board of trustees 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 district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-110, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-110, filed 5/4/73.]

**WAC 132R-175-120 Protection of public records.** The location of the public records officer appointed pursuant to WAC 132R-175-060 shall be in the business office. 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 Big Bend Community College);

(2) The office of the president of Big Bend Community College;

(3) The office of the vice-president of instruction;

(4) The office of the vice-president of student services;

(5) The office of the vice-president for administrative services; and/or

(6) Upon receiving requests for public records in the manner prescribed in WAC 132R-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 132R-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. If, 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. Upon request the public records officer shall make available copies of public records in accordance with WAC 132R-175-090.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-120, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-120, filed 5/4/73.]

**WAC 132R-175-130 Records index.** (1) 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) 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.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-130, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-130, filed 5/4/73.]

**WAC 132R-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 42.17 RCW and these rules; requests for copies of the district's decisions and other matters, shall be addressed as follows: Big Bend Community College, Community College District No. 18, c/o Public Records Officer, 7662 Chanute Street, Moses Lake, Washington 98837-3299.

[Statutory Authority: RCW 28B.50.140 and chapter 34.05 RCW. 03-15-063, § 132R-175-140, filed 7/14/03, effective 8/14/03; Order 73-8, § 132R-175-140, filed 5/4/73.]

**WAC 132R-175-150 Adoption of form.** The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records state form 276 entitled "Request for public record," (WAC 132R-175-160).

[Statutory Authority: RCW 28B.50.140. 78-02-017 (Order 3), § 132R-175-150, filed 1/11/78; Order 73-8, § 132R-175-150, filed 5/4/73.]

**WAC 132R-175-160 Request for public record.**



**REQUESTER:** Please complete form and submit to "Public Records Officer" of the state agency identified.

**REQUEST FOR PUBLIC RECORD**

TO	NAME OF STATE AGENCY	DATE OF REQUEST	TIME OF REQUEST
PUBLIC RECORDS OR INFORMATION REQUESTED		REQUESTED BY	
REQUESTER READ AND SIGN			
COMPLETED BY AGENCY PUBLIC RECORDS OFFICER		ACKNOWLEDGEMENT OF RECEIPT	
NO. OF COPIES	AMOUNT RECEIVED \$	DATE OF RECEIPT	TIME OF RECEIPT
PUBLIC RECORDS OFFICER		RECIPIENT'S SIGNATURE  ⇒	
REASON IF AGENCY IS UNABLE TO COMPLY			REQUESTER'S SIGNATURE ⇒

Form S.F. 276 (6/75)

[Statutory Authority: RCW 28B.50.140. 78-02-017 (Order 3), § 132R-175-160, filed 1/11/78. Formerly Appendix A (codified as WAC 132R-175-990), filed 5/4/73.]