

Chapter 478-276 WAC

GOVERNING ACCESS TO PUBLIC RECORDS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

478-276-030	Description of central and field organization of the University of Washington. [Order 73-5, § 478-276-030, filed 5/29/73.] Repealed by 97-14-004, filed 6/19/97, effective 7/20/97. Statutory Authority: RCW 28B.20-130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW.
478-276-040	General course and method of government. [Statutory Authority: RCW 28B.20.130, 91-10-031, § 478-276-040, filed 4/24/91, effective 5/25/91. Statutory Authority: RCW 28B.20.130(1), 81-20-049 (Order 81-2), § 478-276-040, filed 10/2/81; Order 73-5, § 478-276-040, filed 5/29/73.] Repealed by 97-14-004, filed 6/19/97, effective 7/20/97. Statutory Authority: RCW 28B.20-130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW.
478-276-130	University records. [Statutory Authority: RCW 28B.20.130(1), 81-20-049 (Order 81-2), § 478-276-130, filed 10/2/81; Order 73-5, § 478-276-130, filed 5/29/73.] Repealed by 91-10-031, filed 4/24/91, effective 5/25/91. Statutory Authority: RCW 28B.20.130.

WAC 478-276-010 Purpose. This chapter is enacted by the board of regents of the University of Washington in compliance with the provisions of chapter 42.56 RCW, "Public records."

[Statutory Authority: RCW 28B.20.130, 2005 c 274, and Executive Order 97-02, 06-17-131, § 478-276-010, filed 8/22/06, effective 9/22/06. Statutory Authority: RCW 28B.20.130, 91-10-031, § 478-276-010, filed 4/24/91, effective 5/25/91. Statutory Authority: RCW 28B.20.130(1), 81-20-049 (Order 81-2), § 478-276-010, filed 10/2/81; Order 73-5, § 478-276-010, filed 5/29/73.]

WAC 478-276-020 Definitions. (1) "Public record" includes 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

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other documents including existing data compilations from which information may be obtained or translated.

[Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW, 01-11-136, § 478-276-020, filed 5/23/01, effective 6/23/01; Order 73-5, § 478-276-020, filed 5/29/73.]

WAC 478-276-050 Public records available. All public records of the University of Washington, as defined in WAC 478-276-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by law.

[Order 73-5, § 478-276-050, filed 5/29/73.]

WAC 478-276-060 Public records officer. For purposes of compliance with chapter 42.56 RCW, the person designated as public records officer for the University of Washington is the director of public records and open public meetings. Duties for this individual shall include but not be limited to: The implementation of the university's rules and regulations regarding release of public records, coordinating the staff of the public records and open public meetings office in this regard, and generally coordinating compliance by the university with the public records disclosure requirements of chapter 42.56 RCW. The person so designated shall be at the following location:

University of Washington
Public Records and Open Public Meetings Office
4311 11th Ave. N.E.
Suite 360
Seattle, WA 98105

(for internal campus mail use: Box 354997).

[Statutory Authority: RCW 28B.20.130, 07-03-069, § 478-276-060, filed 1/17/07, effective 2/17/07. Statutory Authority: RCW 28B.20.130, 2005 c 274, and Executive Order 97-02, 06-17-131, § 478-276-060, filed 8/22/06, effective 9/22/06. Statutory Authority: RCW 28B.20.130 and Executive Order 97-02, 06-13-021, § 478-276-060, filed 6/13/06, effective 7/14/06. Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW, 01-11-136, § 478-276-060, filed 5/23/01, effective 6/23/01; 97-14-004, § 478-276-060, filed 6/19/97, effective 7/20/97. Statutory Authority: RCW 28B.20.130, 91-10-031, § 478-276-060, filed 4/24/91, effective 5/25/91. Statutory Authority: RCW 28B.20.130(1), 81-20-049 (Order 81-2), § 478-276-060, filed 10/2/81; Order 73-5, § 478-276-060, filed 5/29/73.]

WAC 478-276-070 Times for inspection and copying. Public records of the University of Washington shall be available for inspection and copying by appointment during the regular office hours of the public records and open public meetings office: Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays.

[Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW, 01-11-136, § 478-276-070, filed 5/23/01, effective 6/23/01; 97-14-004, § 478-276-070, filed 6/19/97, effective 7/20/97; Order 73-5, § 478-276-070, filed 5/29/73.]

WAC 478-276-080 Requests for public records. In accordance with requirements of chapter 42.56 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 required to be disclosed by chapter 42.56 RCW, may be inspected or copies of such records may be obtained, by members of the public upon compliance with the following procedures: All requests shall be directed to the director of public records and open public meetings at the address set forth in WAC 478-276-140. The request shall include the following information:

- (1) The name and address of the person requesting the records;
- (2) The date on which the request was made; and
- (3) The public record(s) requested.

[Statutory Authority: RCW 28B.20.130, 2005 c 274, and Executive Order 97-02. 06-17-131, § 478-276-080, filed 8/22/06, effective 9/22/06. Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW. 01-11-136, § 478-276-080, filed 5/23/01, effective 6/23/01; 97-14-004, § 478-276-080, filed 6/19/97, effective 7/20/97. Statutory Authority: RCW 28B.20.130. 91-10-031, § 478-276-080, filed 4/24/91, effective 5/25/91. Statutory Authority: RCW 28B.20.130(1). 81-20-049 (Order 81-2), § 478-276-080, filed 10/2/81; Order 73-5, § 478-276-080, filed 5/29/73.]

WAC 478-276-090 Commercial purposes. No provision of any regulation contained in this chapter 478-276 WAC shall be construed as giving authority to any faculty or staff member of the University of Washington to give, sell, or provide access to lists of individuals requested for commercial purposes.

[Statutory Authority: RCW 28B.20.130(1). 81-20-049 (Order 81-2), § 478-276-090, filed 10/2/81; Order 73-5, § 478-276-090, filed 5/29/73.]

WAC 478-276-100 Inspection of public records—Copying—Costs. (1) Public records of the University of Washington required to be disclosed by chapter 42.56 RCW, shall be made available for inspection and copying by the public records and open public meetings office staff under the supervision of the director of public records and open public meetings. Arrangements for photocopying of documents in accordance with RCW 42.56.210 shall be made by the university in such a way as to protect the records from damage or disorganization and to prevent excessive interference with other essential functions of the agency.

(2) No fee shall be charged for the inspection of public records. The university imposes a charge for providing copies of public records whether the copies are on paper or on other media such as, but not limited to, CDs, diskettes, audio or videotape; the university also charges for packaging, postage, and other charges as allowed by statute. Such charges shall not exceed the amount necessary to reimburse the university for actual costs as allowed by law.

(3) No person shall be provided a copy of a public record which has been copied by the university at the request of such person until and unless such person has tendered payment for the charge for providing such copying.

[Statutory Authority: RCW 28B.20.130, 2005 c 274, and Executive Order 97-02. 06-17-131, § 478-276-100, filed 8/22/06, effective 9/22/06. Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW. 01-11-136, § 478-276-100, filed 5/23/01, effective 6/23/01; 97-14-004, § 478-276-100, filed 6/19/97, effective 7/20/97. Statutory Authority: RCW 28B.20.130. 91-10-031, § 478-276-100, filed 4/24/91, effective

5/25/91. Statutory Authority: RCW 28B.20.130(1), 81-20-049 (Order 81-2), § 478-276-100, filed 10/2/81; Order 73-5, § 478-276-100, filed 5/29/73.]

WAC 478-276-105 Protection of public records. Access to any "writing," as defined in WAC 478-276-020(2), shall be restricted to the viewing area designated by the university. No document shall be physically removed by a member of the public from the viewing area for any reason whatsoever. Nor shall any member of the public who is viewing documents disassemble, deface, or cause the disorganization of documents for any reason whatsoever.

[Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW. 97-14-004, § 478-276-105, filed 6/19/97, effective 7/20/97.]

WAC 478-276-110 Exemptions—Court protection. (1) The University of Washington reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 478-276-080 is exempt under the provisions of chapter 42.56 RCW.

(2) In addition, pursuant to chapter 42.56 RCW, the University of Washington 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 RCW 42.56.050.

(3) Responses by the University of Washington refusing, in whole or in part, inspection of any record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

(4) Pursuant to RCW 42.56.540, the University of Washington reserves the right to seek to enjoin the examination of any specific record, the examination of which the university determines would clearly not be in the public interest and would substantially and irreparably damage any person or would substantially and irreparably damage vital governmental functions.

[Statutory Authority: RCW 28B.20.130, 2005 c 274, and Executive Order 97-02. 06-17-131, § 478-276-110, filed 8/22/06, effective 9/22/06. Statutory Authority: RCW 28B.20.130. 91-10-031, § 478-276-110, filed 4/24/91, effective 5/25/91; Order 73-5, § 478-276-110, filed 5/29/73.]

WAC 478-276-120 Review of denials of public records requests. (1) A person who has been denied access to public records may submit to the director of public records and open public meetings a petition for prompt review of such decision. The written request shall specifically refer to the written statement by the director of public records and open public meetings or 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 director of public records and open public meetings or other staff member denying the request shall refer it to the office of the president of the University of Washington. The petition shall be reviewed promptly and the action of the public records and open public meetings office staff shall be approved or disapproved. Such approval or disapproval shall constitute final university action for purposes of judicial review.

[Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW. 01-11-136, § 478-276-120, filed 5/23/01, effective 6/23/01. Statutory Authority: RCW 28B.20.130(1), 81-20-049 (Order 81-2), § 478-276-120, filed 10/2/81; Order 73-5, § 478-276-120, filed 5/29/73.]

WAC 478-276-140 Public records and open public meetings office—Address. All requests for public records to the University of Washington shall be addressed as follows:

University of Washington
Public Records and Open Public Meetings Office
4311 11th Ave. N.E.
Suite 360
Seattle, WA 98105

(for internal campus mail use: Box 354997). The telephone number of the public records and open public meetings office is 206-543-9180.

[Statutory Authority: RCW 28B.20.130 and Executive Order 97-02. 06-13-021, § 478-276-140, filed 6/13/06, effective 7/14/06. Statutory Authority: RCW 28B.20.130 and chapter 42.17 RCW. 03-12-007, § 478-276-140, filed 5/22/03, effective 6/22/03. Statutory Authority: RCW 28B.20.130, 42.17.260, 42.17.290, 42.17.300 and chapter 34.05 RCW. 01-11-136, § 478-276-140, filed 5/23/01, effective 6/23/01; 97-14-004, § 478-276-140, filed 6/19/97, effective 7/20/97. Statutory Authority: RCW 28B.20.130(1), 81-20-049 (Order 81-2), § 478-276-140, filed 10/2/81; Order 73-5, § 478-276-140, filed 5/29/73.]