Chapter 495B-276 WAC
ACCESS TO PUBLIC RECORDS

WAC 495B-276-010 Purpose. The purpose of this chapter is to ensure that Bellingham Technical College complies with the provisions of chapter 42.17 RCW and in particular with those sections of that chapter dealing with public records.

(2) The district is operated under the supervision and control of a board of trustees. The board of trustees consists of five members appointed by the governor. The board of trustees normally meets at least once each month, as provided in WAC 495B-104-010. The board of trustees employs a president, an administrative staff, members of the faculty and other employees. The board of trustees takes such actions and promulgates such rules, and policies in harmony with the rules established by the state board for community and technical colleges, as are necessary to the administration and operation of the district.

WAC 495B-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 letters, words, pictures, sounds or symbols, combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, disks, drums and other documents.

(3) "Bellingham Technical College" is an agency organized by statute pursuant to RCW 28B.50.040. Bellingham Technical College shall hereafter be referred to as the "district." Where appropriate, the term "district" also refers to the staff and employees of the district.

WAC 495B-276-030 Description of central and field organization of Technical College District No. 25. (1) Bellingham Technical College is a state agency established and organized under the authority of chapter 28B.50 RCW for the purpose of implementing the educational goals established by the legislature in RCW 28B.50.020. The administrative office of the district is located on the Bellingham Technical College campus within the city of Bellingham, Washington. The Bellingham Technical College campus likewise comprises the central headquarters for all operations of the district.

(2) The district's public records shall be in the charge of the public records officer designated by the chief administrative officer of the district. The person so designated shall be located in the district administrative office. The public records officer shall be responsible for the following: Implementation of the district's rules regarding release of public records, coordinating district employees in this regard, and generally ensuring compliance by district employees with the public records disclosure requirements in chapter 42.17 RCW.
WAC 495B-276-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the district. For 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 and holidays established by the college calendar.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. 93-05-018, § 495B-276-060, filed 2/10/93, effective 3/13/93.]

WAC 495B-276-080 Requests for public records. In accordance with the requirements of RCW 42.17.290 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 are only obtainable by members of the public when those members of the public comply with the following procedures:

1. A request shall be made in writing upon a form prescribed by the district which shall be available at the district administrative office. The form shall be presented to the public records officer or, if the public records officer is not available, to any member of the district's staff at the district administrative office 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 public 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 current index, an appropriate description of the record requested;
   f. A verification that the records requested shall not be used to compile a commercial sales list.

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 person to whom the request is made, to assist the member of the public in succinctly identifying the public record requested.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. 93-05-018, § 495B-276-080, filed 2/10/93, effective 3/13/93.]

WAC 495B-276-090 Copying. No fee shall be charged for the inspection of public records. The district may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records and such charges shall not exceed the amount necessary to reimburse the district for its actual costs incident to such copying. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate district official. All charges must be paid by money order, cashier's check, or cash in advance.

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the public records officer. Such records shall not be removed from the place designated. Copies of such records may be arranged according to the provisions of WAC 495B-276-090.

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. 93-05-018, § 495B-276-120, filed 2/10/93, effective 3/13/93.]

**WAC 495B-276-130 Records index.** (1) The district has available for the use of all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated by the district after September 1, 1991:

(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 maintained 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.10.140, 42.30.075 and chapter 34.05 RCW. 93-05-018, § 495B-276-130, filed 2/10/93, effective 3/13/93.]

**WAC 495B-276-140 Adoption of form.** The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records the following form:

REQUEST FOR PUBLIC RECORD TO
BELLINGHAM TECHNICAL COLLEGE

(a) ______________________________  Signature
Name (please print)
Name or Organization, if applicable
Mailing Address of Applicant  Phone Number

(b) ______________________________  Time of Day
Date Request Made  Request Made

(c) ______________________________
Nature of Request

(d) ______________________________
Identification Reference on Current Index (Please describe)

(e) ______________________________
Description of Record, or Matter, Requested if not Identifiable by Reference to the Bellingham Technical College Index

(f) I hereby certify under penalty of perjury under the laws of the state of Washington that these requested records shall not be used to compile a commercial sales list.

DATED this __________________, 1992 at __________________, Washington.
Request: APPROVED __________________  DENIED __________________ Date ________________
By __________________
Reasons for Denial: __________________
Name Title
______________________________  Date ________________
Referred to __________________ By __________________
Name Title

[Statutory Authority: RCW 28B.10.140, 42.30.075 and chapter 34.05 RCW. 93-05-018, § 495B-276-140, filed 2/10/93, effective 3/13/93.]