

Public Records Request Policy

Purpose

To comply with RCW Chapter 42.56, the Public Records Act. Except where these guidelines are mandated by statute, the guidelines in this policy are discretionary and advisory only and shall not impose any affirmative duty on the Library. The Library reserves the right to apply and interpret this policy as it sees fit, and to revise or change the policy at any time.

This policy is available at the Library (contact the Public Records Officer) and on the Library's website.

Procedure for Requesting Records

1. **Requests to the Public Records Officer:** All requests must be directed to the Public Records Officer, Petra McBride, at Pierce County Library System. Requests may be in writing to

Public Records Officer
3005 112th Street E.
Tacoma, WA 98446-2215

Requests may also be made via email, sent to

publicrecordsofficer@piercescountylibrary.org

2. **Inspection location:** Documents are available for inspection during the customary office hours (8am to 6pm) of the

Processing and Administrative Center
3005 112th Street E.
Tacoma, WA 98446-2215

All requests for inspection and copying of documents must be made to the Public Records Officer.

3. **Requests for copies:** Requests for copies of documents should be made in writing or in email. Requests should include:
 - a. The name and address of the requester;
 - b. The date of the request;
 - c. A detailed description of the public record being requested;
 - d. Whether the requester wants copies, or wants to inspect the requested records;
 - e. The address where copies are to be mailed, if copies are requested (or an email address to mail scanned versions);
 - f. A statement regarding whether the records are being requested for commercial purposes; and

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- g. Signature of the requester.
4. **Oral request:** Requesters are strongly encouraged to make written requests or to submit requests electronically to the address specified in Section 1. If an oral request is made, the Library will document the request in writing and forward the writing to the Public Records Officer. The Public Records Officer will confirm the oral request in writing in the Library's initial five (5) business day response.
 5. **Library response to records request:** The Library will respond to all Public Records Act requests within five (5) business days, in compliance with RCW 42.56.070. A Library response to the Requester may include (a) notifying the requester that the documents are available for inspection or copying, (b) acknowledging the request in writing and providing a reasonable estimate of the time the Library will require to respond to the request, (c) seeking clarification from the Requester, (d) identifying the physical location or internet site where the documents are available to the public, or (d) denying the records request in accordance with Section 8 of this Policy.
 6. **Installments:** When a records request is for a large volume of records, the Library may elect to provide records on an installment basis. If a Requester does not contact the Public Records Officer within 15 days to arrange for the review of the first installment, the Library may deem the request abandoned and stop fulfilling the remainder of the request.
 7. **Non-response:** If the Library does not respond in writing within five (5) business days of receipt of the request for disclosure, the person seeking disclosure shall be entitled to considering the request denied and petition the Library Director as provided in Section 9 of this Policy.
 8. **Exemptions:** Documents or portions of documents may be withheld from disclosure under Washington law. These exemptions from disclosure include:
 - 8.1 **Library Records of Individual Users.** Any library record subject to RCW 42.56.310, as interpreted by the Library's Policy on Confidentiality of Library Records and Patron Files, is exempt from disclosure and will not be released under the Public Records Act.
 - 8.2 **Public Records Act Exemptions.** The Public Records Act exempts several categories of documents and records from disclosure under RCW 42.56.210 *et seq.* A copy of RCW 42.56.210 is available at: <http://apps.leg.wa.gov/rcw/default.aspx?cite=42.56>. Documents falling into any of these categories may be withheld from disclosure under the Public Records Act.
 - 8.3 **Other Exemptions.** In addition to the exemptions provided under the Public Records Act, Washington provides a number of additional exemptions that are not listed in the Public Records Act. A non-exclusive list of these exemptions is available at: <http://mrsc.org/getmedia/796a2402-9ad4-4bde-a221-0d6814ef6edc/Public-Records-Act.pdf.aspx?ext=.pdf#page=67>. Documents falling into any exemption recognized by Washington statute, or otherwise under local, state or federal law, may be withheld under the Public Records Act.
 9. **Third Party Rights.** If a public record contains personal information that identifies any individual or organization other than the subject of the requested public record, the Pierce

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County Library System may, at its discretion, notify that individual or organization to allow the third party to seek relief pursuant to RCW 42.56.540. The District may take into account any such third-party notification, including the time necessary for any request for injunction or other relief under RCW 42.56.540 to be resolved, in providing an estimate for when the records will be available. Nothing in this Policy is intended to create any third-party right to notice of Public Records Act requests.

10. **Denials of requests:** Any person objecting to any form of denial of a records request may petition for review of such decision by submitting in writing a petition to the Library Director, including a copy or reasonably identifying the statement of the Public Records Officer denying the records request. The Library Director shall review the petition and respond in writing within two (2) business days. Upon review by the Library Director, should the record further be considered exempt in accordance with Section 8 of this Policy, the request shall be considered concluded.
11. **Charges:** In compliance with RCW 42.56.120, no fee is charged for inspection of documents. Fees for paper or electronic copies will be charged in accordance with the following schedule:
 - a. Ordinary black-and-white copies of documents will be provided at a charge of fifteen (15) cents per page.
 - b. Postage and shipping fees, including containers, will be charged if copied material must be mailed.
 - c. Document scans will be charged at ten (10) cents per page produced in electronic format.
 - d. Any color or non-standard copies or items will be provided at actual cost, including the charge for staff time necessary for making such copies, at a rate of \$28.63 per hour. For example, copying photographs, maps, or large architectural or engineering drawings may require special treatment and incur charges for non-standard copying.
 - e. Staff time necessary for loading electronic records onto a disc or into an email will be charged at actual cost calculated at the rate of \$28.63 per hour.
 - f. At its discretion, the Library may, as a condition of fulfilling the request, require the Requestor to make a deposit up to ten percent (10%) of the estimated costs of fulfilling the request. If records are being produced and released in an installment basis, the Library may charge for each installment.
 - g. At its discretion, the Public Records Officer may elect to waive these fees. Fees may generally be waived when the expense of billing exceeds the cost of copying and postage.
 - h. If charges related to copying have not been paid by the Requester, the Public Records Officer may withhold the relevant documents from disclosure until outstanding fees are paid by the Requester.
12. **Loss of right to inspect:** Inspection shall be denied and the records withdrawn by the Public Records Officer if the requester, when reviewing records, acts in a manner which will damage or

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substantially disorganize the records or interfere excessively with other essential functions of the Library.

13. **Law Enforcement Requests:** When law enforcement authorities request records related patrons, such requests shall be processed in accordance to Library Policy (05-01) Release of Library Records and Patron Files.
14. **Board agendas:** The current month's Agenda Packet to the Board of Trustees is available for inspection:
 - a. at the desk of the Executive Assistant, Processing and Administrative Center by Friday of the preceding week of the Board of Trustees meeting;
 - b. on the Library's public website at www.piercecountylibrary.org by Friday of the preceding week of the Board of Trustees meeting;
 - c. during all board meetings.

All agendas, resolutions and adopted minutes of previous meetings of the Board of Trustees are available for inspection at the desk of the Executive Assistant, Processing and Administrative Center.

15. **Closing the request:** Once all copies of requested records have been provided to the requester, the requester has reviewed the requested records, or 15 days have passed since the requester was notified that the records were available and the requester has failed to contact the Public Records Officer to arrange for the review of those records or for payment for copies, the Public Records Officer shall close the records request.
16. **Index of public records:** For reasons stated in Resolution No. 2005-09, adopted June 8, 2005, and incorporated herein by reference, the Library finds that it would be unduly burdensome and would interfere with Library operations to maintain an index of records. The Library will make available for public disclosure all indices which may at a future time be developed for Library use.
17. **Disclaimer of liability:** Neither the Library nor any officer, employee, official or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of public records if the person releasing the records acted in good faith in attempting to comply with this policy.

Related Policies/Procedures

Public Records Request Policy

Administrative Policy 95-04

Adopted by the Pierce County Rural Library District Board of Trustees, May 9, 2012.