
Board Policy



Public Records Request

Policy Statement

It is the policy of the Pierce County Library System (“Library”) to release records of the Library in compliance with the Washington State Public Records Act, set forth in Chapter 42.56 of the Revised Code of Washington (“RCW”), and any other applicable provisions of federal or state law. This policy applies to all library system records created by staff, administrators, the Board of Trustees, and any third-party records in the Library’s possession. The Library will maintain its records in a reasonably organized manner. The Library will take reasonable actions to protect records from damage and disorganization.

Purpose

The purpose of this policy is to comply with Chapter 42.56 RCW, the Public Records Act. This policy provides guidance to public records requesters as well as library employees who respond to such requests.

Public Records Officer

The Library has designated the Manager of Executive Office Administration as the official Public Records Officer (“Officer”) for the library district. The individual serving as the Officer may change through time and current contact information is available on the Library’s website. The Officer is responsible for managing library records to ensure compliance with the law, responding to and tracking requests, and serves as the principal contact with any requester making a records request. Any person wishing to inspect Library records or seeking assistance in making such a request should contact the Officer as follows:

Public Records Officer
Pierce County Library System
3005 112th Street E. Tacoma, WA 98446
253-548-3420
publicrecordsofficer@piercecountylibrary.org
<https://mypcl.org/wp-content/uploads/2023/08/public-records-request.pdf>

Types and Availability of Records

The Library makes a variety of records available on the website including board meeting packets, board meeting minutes, annual reports, and budget documents. The Library maintains and destroys records in accordance with state law. Records documenting the process of fulfilling requests and the records responsive to them are retained for the applicable retention periods.

For reasons stated in Resolution No. 2005-09, adopted by the Board of Trustees on 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.

Public records are available for inspection and copying during the Library’s normal business hours at the Administrative Center.

Submitting Requests

All requests should be made in writing and directed to the Officer. The Library's standard and preferred request method is using the Records Request Form available on the website. Although requesters are strongly encouraged to use the form, a requester may also submit a request by postal mail, email, or in person at the Administrative Center.

Any person wishing to inspect or copy public records of the Library should make the request in writing on the Library's request form, by letter, or by email addressed to the Officer that includes the following information:

1. The date and time of the request;
2. A means of communicating to the requester, such as, mailing address, telephone number, and email address;
3. Identification of the public records requested with descriptions that are adequate for the Officer to locate the records; and
4. Whether the requester is seeking to inspect the record(s) or if copies are being requested.

The Library will respond to all Public Records Act requests within five (5) business days in compliance with RCW 42.56.520. 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
- e. Denying the records request.

Processing Requests

The Officer will process requests in the order allowing requests to be processed most efficiently. When the Library receives a public record request or at any time while processing a record request, the Officer will determine a reasonable time estimate within which the Library can respond to the request that will factor in the nature, volume, and availability of the requested records; the amount of time necessary to respond to a particular request and its effect on the amount of staff time that can be devoted to responding to the requests of other requesters; and the impact on other essential Library functions. Specific factors that may affect the response time estimate include, but are not limited to:

- a. Number of pending requests from the same requester;
- b. Volume of records requested;
- c. Complexity or ambiguity of the request;
- d. Access to database or electronic system records;
- e. Information Technology (IT) staff involvement;
- f. Records not easily identified, located, and/or accessible;
- g. Current staffing, including any amount of time needed by Library staff who are not primarily responsible for public record processing;
- h. Third-party notice;
- i. Complex review to determine if content is exempt;
- j. Extensive and complicated electronic redaction;
- k. Legal review;
- l. Resolving issues related to retention of responsive records; and/or
- m. Grouped requests

To provide fullest assistance to all requesters and prevent excessive interference with other essential Library functions, the Library may allocate specific amounts of time and resources to responding to a request. This may include, but is not limited to, allocating a specific number of hours per week or per month to be spent by public records staff or employees for whom responding to record requests is not among their primary assigned duties. The amount of time shall be based on the factors outlined above.

When a 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 Officer within thirty (30) days to arrange for the review of the installment, the Library may deem the request abandoned and stop fulfilling the remainder of the request.

Denial and Appeal

The Library has no duty to accept certain automated or bot requests. The Library may deny bot requests that are one of multiple requests from a requester in a 24-hour period if responding to multiple requests would cause excessive interference with the Library's other essential functions. Because social media and voicemails may not be monitored daily, the Library does not accept record requests via these means.

The Library encourages any requester who believes a record has been wrongfully withheld, in whole or in part, to meet and confer with the Public Records Officer prior to seeking judicial review of the Library's response to their request.

Exemptions

The Library complies with exemptions for public records requests in alignment with exemptions noted in Washington State law. Some records are exempt from disclosure, in whole or in part. If the Library believes that a record is exempt from disclosure and should be withheld, the Officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Officer will redact the exempt portions, provide the non-exempt portions, and inform the requester why portions of the record are redacted.

For informational purposes, under Washington State law records exempt from disclosure include, but are not limited to:

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.

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.

Commercial Purposes. The Library is prohibited from disclosing lists of individuals for commercial purposes as provided in RCW 42.56.070.

Address Confidentiality for Victims of Domestic Violence, Sexual Assault, and Stalking. Any employee's name and other personally identifying information if they or a dependent are survivors of domestic violence, sexual assault, sexual abuse, stalking, or harassment, or if they participate in the address confidential program under chapter 40.24 RCW (RCW 42.56.250(1)(i)).

Other Exemptions. In addition to the exemptions provided under the Public Records Act, Washington provides several additional exemptions that are not listed in the Public Records Act. A non-exclusive list of these exemptions is available at: [Public Records Act for Washington Cities, Counties, and Special Purpose Districts \(mrc.org\)](http://mrc.org). 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.

Third Party Rights

Prior to releasing a record, the Library may, at its discretion, provide notice to an individual or organization named in a public record or to whom the record specifically pertains (unless notice is required by law) to allow the third party to seek relief pursuant to RCW 42.56.540. The Library 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.

Charges

The Library does not calculate all actual costs for providing records because to do so would be unduly burdensome for the following reasons: 1) The Library lacks the necessary resources to conduct a study to determine actual copying costs; and 2) to conduct such a study would interfere with other essential agency functions. In compliance with RCW 42.56.120, no fees are charged for inspection of documents. Fees for paper or electronic copies will be charged pursuant to the fee schedule outlined in "Exhibit A".

At its discretion, the Officer may elect to waive these fees. Fees may generally be waived when the expense of billing exceeds the cost of copying and postage.

If charges related to copying have not been paid by the Requester, the Officer may withhold the relevant documents from disclosure until outstanding fees are paid by the Requester.

Law Enforcement Requests

The Library will consult with legal counsel before release of information to law enforcement. Law enforcement will receive access to confidential library records upon receipt of process, order, or subpoena in proper form and with a showing of good cause for its issuance.

Delivery of Records

Documents are available for inspection during the customary office hours of the Library's Administrative Center, which are normally on business days of Monday through Friday, 9:00 am to noon and 1:00 pm to 5:00 pm. Arrangements for inspection and/or copying must be made in advance. Inspection of public records must occur in a non-disruptive manner. No member of the public may remove public records from the viewing area or disassemble or alter any public record. The requester shall indicate which records they wish to have copied using a mutually agreed upon nonpermanent method of marking the desired record. Should physical records be fragile or sensitive to handling, the Library, at its discretion, may require the Requester to use gloves, which will be made available free of charge.

On request, physical or digital copies may be made available to the requester. The Library may determine the method of production for electronic records at its own discretion if the electronic files are too large to be shared via email. The Library will not provide records on portable media (e.g. thumb drives) provided by a requester or by uploading to a private file-sharing site. Due to the potential risks to the security of Library systems, the Library does not allow requesters to attach or insert their own devices or cables into Library-owned computer systems.

Failure to Respond

The Library will deem a request abandoned in the following circumstances:

-
1. If a requester fails to respond to a Library request to clarify, whether individual or grouped, within thirty (30) days of the request for clarification, and the entire request is unclear;
 2. If a requester has elected to inspect records, the request, whether individual or grouped, may be deemed abandoned:
 - a. If the requester fails to contact the Office to arrange for the review of the installment within thirty (30) days of making arrangements to inspect the records in person;
 - b. If the requester misses an appointment to inspect responsive records or any installment of records and fails to contact the Officer to arrange another appointment to inspect within 30 days of the missed appointment;
 3. If a requester has elected to receive copies of records, a request, whether individual or grouped, may be deemed abandoned:
 - a. If the requester fails to open and download within thirty (30) days copies of responsive records or any installment of records provided to the requester electronically;
 - b. If the requester fails to pick up hard copies of responsive records or any installment of records within thirty (30) days of the date on which such copies are made available for pickup;
 - c. If the requestor fails to pay for copies of any records or any installment of records within thirty (30) days of receiving an invoice for those records; or
 - d. If the requester fails to pay a deposit, as provided in the Charges section of this Policy, within thirty (30) days of receiving an invoice for such deposit.

Closing the Request

Once all copies of requested records have been provided to the requester, the requester has reviewed the requested records, or thirty (30) days have passed since the requester was notified that the records were available and the requester has failed to contact the Officer to arrange for the review of those records or for payment for copies, the Officer shall close the records request.

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.

**Adopted by the Pierce County Rural Library District Board of Trustees, May 9, 2012.
Revised March 13, 2024.**

By the enactment of this policy the Board of Trustees of Pierce County Library System is concurrently rescinding any prior policy or procedure within PCLS that is either in conflict with or expansive of the matters addressed in this policy.

EXHIBIT A
PIERCE COUNTY LIBRARY SYSTEM
PUBLIC RECORDS FEE SCHEDULE
 In Compliance with RCW 42.56.120

| ITEM DESCRIPTION | FEE | ADDITIONAL NOTES |
|---|---|--|
| Photocopies of public records, printed copies of electronic public records when requested by the person requesting records, or for the use of Library equipment to photocopy public records | \$0.15 per page | |
| Public records scanned into an electronic format or for the use of Library equipment to scan the records | \$0.10 per page | |
| Electronic files or attachments uploaded to email, cloud-based data storage service or other means of electronic delivery | \$0.05 per every four electronic files | |
| Transmission of public records in an electronic format or for the use of Library equipment to send the records electronically | \$0.10 per gigabyte | The Library shall take reasonable steps to provide the records in the most efficient manner available to the agency in its normal operations |
| Non-standard copies or items such as photographs, maps, blueprints, or audio/visual recordings | Actual cost, including staff time of \$37.49 per hour | These items may require off-site vendor copying, may require special treatment, and incur staff time charges. |
| Digital storage media or device provided by Library | Actual cost | |
| Supplies used for mailing public records, including postage and shipping charges | Actual cost | |
| DEPOSITS | | |
| At its discretion, the Library may, as a condition of fulfilling the request, require the Requester to make a non-refundable 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. | | |