
Board Policy

Public Records

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, to facilitate public access to public records while at the same time prevent interference with other essential functions of the Library. This policy provides guidance to public records requesters as well as Library employees who respond to such requests.

Public Records Officer

The Library shall designate one official Public Records Officer (“Officer”) for the library district who will serve as a point of contact for members of the public in making public disclosure requests. The Officer is responsible for overseeing compliance with the Public Records Act. The individual serving as the Officer may change through time, and current contact information is maintained on the Library’s website. Other employees may be involved in processing and fulfilling public records requests.

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 as authorized in RCW 40.14.070. The specific retention schedule approved for public library districts is the Local Government Common Records Retention Schedule (“CORE”), which is available on the Washington State Archives website.

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 at the Library’s Administrative Center during normal business hours: Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding the lunch hour (12:00pm to 1:00pm) and excluding legal holidays. Appointments must be made in advance, and Library personnel and the requester may make mutually agreeable arrangements for time(s) of inspection and copying. To the extent possible given other demands for space and staff time, the Officer shall promptly provide space to inspect public records at the Library’s Administrative Center. The Library deems it necessary, in order to comply with the Public Records Act’s mandate to protect public records, to require that inspections of public records be conducted in the presence of the Officer or a Library staff person

working on the request. The Library will make every effort to provide staff to oversee the expeditious inspection of public records without unduly compromising or unreasonably interfering with the essential functions of the Library. In accommodating a request for public records inspection, the Library may consider the size of the request, the ease with which the requested records can be made available for inspection, and special accommodations requested by the requester necessary in order to inspect the records, the availability (schedule) of the requester to conduct the inspection, the availability of Library staff to observe the inspection, the time constraints on staff availability imposed by other current Library business, and any other relevant circumstance. After inspection is complete, the requester shall indicate which documents he/she wishes to have copied or scanned using a non-permanent method of marking the desired records as approved by the Officer. The Officer will arrange for copying.

Submitting Requests

The Library encourages requesters to make public records requests in writing and directed to the Officer. The Library's preferred method is using the Records Request Form available on the website or via email to the Officer. Although requesters are strongly encouraged to use the form and submit it electronically to the Officer, the Library will also accept requests made through other methods that comply with the Public Records Act, including requests submitted in person at library locations or by mail. If a requester attempts to make a public request orally, a requester must provide fair notice that the request is for the disclosure of identifiable public records, and that request will be documented and forwarded to the Officer for processing. Records requests submitted after Administrative Center hours will be considered received on the next business day.

Public records requests should be submitted by email to publicrecordsofficer@piercecountylibrary.org, or by mail to:

Pierce County Library System Administrative Center
Attention: Public Records
3005 112th Street E. Tacoma, WA 98446

A request for public records should include the following information:

1. A clear indication that the request is a public records request;
2. The date and time of the request;
3. A means of communicating to the requester, such as, mailing address, telephone number, and email address;
4. Identification of the public records requested with descriptions that are adequate for the Officer or other library staff to locate the records; and
5. Whether the requester is seeking to inspect the record(s) or if copies are being requested. If copies, whether the request is for printed or digital copies of the record(s); and
6. If the request is for a list of individuals, a statement that the list will not be used for any commercial purposes or that the requester is authorized or directed by law to obtain the list of individuals for commercial purposes, with a specific reference to such law.

The Library will respond to all Public Records Act requests within five (5) business days (excluding Saturdays, Sundays, and legal holidays) in compliance with RCW 42.56.520. Records requests submitted after Administrative Center hours will be considered received on the next business day. A Library response to the requester may include one or more of the following:

- 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,

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- d. Identifying the physical location or internet site where the documents are available to the public, or
 - e. Denying the records request stating the specific exemption(s) prohibiting disclosure and a brief explanation of how the exemption applies to each withheld and redacted record

Processing Requests

The Library will aim to process requests in the order allowing requests to be processed most efficiently. When the Library receives a public records request or at any time while processing a record request, the Officer or other staff person involved in processing the request 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. Volume and complexity of records currently in process;
- d. Complexity or ambiguity of the request;
- e. Access to database or electronic system records;
- f. Information Technology (IT) staff involvement;
- g. Records not easily identified, located, and/or accessible;
- h. Current staffing, including any amount of time needed by Library staff who are not primarily responsible for public record processing;
- i. Third-party notice;
- j. Complex review to determine if content is exempt;
- k. Extensive and complicated redaction;
- l. Legal review; and/or
- m. Assembling records.

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.

To prevent excessive interference with essential functions of the Library, backup or security systems will not be searched for copies of public records when the originals or other copies of such records are available for inspection and/or copying.

The Library may elect to provide records in installments. If a requester either does not contact the Officer within thirty (30) days to arrange for the review of the installment or fails to make a timely and required payment, the Library may deem the request abandoned, provide notice to the requester, 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, and if the Library reasonably believes the requests were automatically generated by a computer program or script.

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

A requester who objects to the denial of a records request may petition in writing (including email) to the Officer for a review of that decision. The petition shall identify the request at issue and include a copy of the written statement denying the request. The Officer or a supervisor of the Officer will promptly review the petition and decide whether to affirm or reverse the denial, or whether additional time is needed to fully consider the petition and respond.

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 or a Library employee working on the records request 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)).

Information Technology Security. Information regarding the public and private infrastructure and security of computer and telecommunications networks and other such information the release of which may increase risk to the confidentiality, integrity, or availability of security, information technology infrastructure, or assets (RCW 42.56.420(4)).

In addition to the exemptions provided under the Public Records Act, other laws provide 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 \(mrsc.org\)](http://mrsc.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, in which case, the Library must provide notice) to allow the third party an opportunity 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.

The Officer or a Library employee working on the records request may require a deposit in an amount not to exceed ten percent (10%) of the estimated cost of providing requested public records. If the Officer responds to a request on a partial or installment basis, the requester shall be charged for each part or installment.

If charges related to records requests have not been paid by the requester, the Library may withhold the records from disclosure until outstanding fees are paid by the requester.

Law Enforcement Requests

The Library may consult with legal counsel before release of information to law enforcement. Law enforcement may 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

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 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 Officer 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 thirty (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;

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- 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 requester 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 and notify the requester in writing.

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. Revised January 8, 2025.

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.		