

GRAYS HARBOR COLLEGE
Operational Policy

Subject: PUBLIC RECORDS POLICY

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Operational Policy Number: 208

Date adopted: 10/14/74 Revised: 7/1/96, 12/14/98, 2/21/06, 3/21/06

I. Purpose

Ideas, procedures, records, and publications developed in or for the college district shall be made available in accordance with state public disclosure law, RCW 42.17.

The purpose of this chapter shall be to ensure compliance by Community College District No. 2 with the provisions of chapter 42.17 RCW, commonly called Initiative No. 276, and in particular with RCW 42.17.250 - 42.17.340 of that act dealing with public records.

II. Definitions

"Public records" include 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.

"Writing" means handwriting, typewriting, printing, photocopying, photographing, tape recording 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, magnetic or punched cards, discs, drums, computer generated and other documents.

"Community College District No. 2" is an agency organized by statute pursuant to RCW 28B 50.040 and shall hereinafter be referred to as the "district." Where appropriate, the term district also refers to the Board of Trustees and employees of the district.

III. Description of Central and Field Organization of Community College District No. 2.

District No. 2 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff is located at Grays Harbor College, Aberdeen, Washington 98520.

IV. Operations and Procedures

The district is established under RCW 28B.50.040 to implement the educational purposes established by RCW 28B.50.020. The college district is operated under the supervision and control of a Board of Trustees. The Board of Trustees is made up of five (5) members, each appointed by the governor to a term of five (5) years. The trustees exercise the powers and duties granted them under RCW 28B.50.140.

V. Public Records Available

All public records of the district, as defined in the Section entitled Definitions, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and the section entitled Exemptions. The College will continue with the practice of placing documents on its Web site.

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VI. Public Records Officer

The public records officer, designated by the college president, shall be in charge of the district's public records. The person so designated shall be located in the administrative offices of the district. The public records officer shall be responsible for the following: the implementation of the district's rules and regulations regarding release of public records, coordinating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

VII. Office Hours

Public records shall be available for inspection and copying during the customary office hours of the district. For the 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.

VIII. Requests for Public Records

In accordance with requirements of chapter 42.17 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 may be inspected or copied, or copies of such records may be obtained by members of the public upon compliance with the following procedures:

- A. A request shall be made in writing on a form prescribed by the district which shall be available at its administrative office. The form shall be presented to the public records officer, or to any member of the district's staff if the public records officer is not available, at the administrative offices of the district during customary office hours. The request shall include the following information:
 1. The name of the person requesting the record;
 2. The time of day and calendar date on which the request was made;
 3. The nature of the request;
 4. If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
 5. If the requested matter is not identifiable by reference to the district's current index, an appropriate description of the record requested.
- B. 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 staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested. Within five working days the College will (1) provide the record, (2) acknowledge receipt of the request and provide an estimate of the time required to respond, or (3) deny the request.

IX. Copying

No fee shall be charged for the inspection of public records. The district shall charge a fee of ten (10) cents per page of copy for providing copies of public records and for the use of the district's copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the district will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check, or cash in advance.

X. Exemptions

The district reserves the right to determine that a public record requested in accordance with the procedures outlined in the Section entitled Requests for Public Records is exempt under the provisions of chapter 42.17 RCW.

In addition, pursuant to RCW 42.17.310, the district reserves the right to delete identifying details when it makes available or purchases 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 chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

XI. Review of Denials of Public Records Requests

Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the president of the college. The president or designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

Administrative remedies shall not be considered exhausted until the district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

XII. Protection of Public Records

Requests for public records shall be made in the administration building of Grays Harbor College. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made at Grays Harbor College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of the Section entitled Copying.

XIII. Records Index

Index - the district has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972.

- 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 any private party.

Availability - the current index promulgated 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.

XIV. Appendix A - Request for Public Record to Community College District No. 2 - see page 6 of this policy.