

**PROCEDURE**

SUBJECT: PUBLIC RECORDS  
 COVERAGE: All Staff  
 SOURCE: Administration  
 EFFECTIVE DATE: 07/28/95

RESPONSIBLE MGR: Wirt  
 AUTHOR: Wirt  
 REVISION DATE: 07/16/08

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NUMBER: 100.301

**Summary of 07/16/08 revision**

This procedure was previously titled "Public Record Inspection & Copying" and has been entirely rewritten.

**Authority**

RCW 42.56.070(1) requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public record" to 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 the agency. RCW 42.56.070(2) requires each agency to set forth "for informational purposes" every law, in addition to the Public Records Act, that exempts or prohibits the disclosure of public records held by that agency.

**Purpose**

1. This procedure carries out the Spokane County Library District's (the District's) Public Records Policy by establishing the rules the District will follow to provide full access to public records. These rules provide information to persons wishing to request access to public records of the District and establish processes for both requestors and District staff that are designed to best assist members of the public in obtaining such access.
2. The purpose of the act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, the District will be guided by the provisions of the act describing its purposes and interpretation.

**Agency description — Contact information — Public records officer**

1. Spokane County Library District is a municipal corporation established under RCW 27.12.040 to provide public library services to unincorporated Spokane County and affiliated cities and towns. The District's administrative offices are located at 4322 N. Argonne Road, Spokane, WA 99212.
2. Any person wishing to request access to the District's public records or seeking assistance in making such a request should contact the District's public records officer:

Public Records Officer  
 Spokane County Library District  
 4322 N. Argonne Road  
 Spokane, WA 99212  
 Phone: 509-893-8200/Fax: 509-893-8472  
 admin@sclld.org

Information is also available at the District's website: [www.sclld.org](http://www.sclld.org).

3. The public records officer will oversee compliance with the act but another District staff member may process the request. Therefore, these rules will refer to the public records officer "or designee." The public records officer or designee and the District will provide the "fullest assistance" to requestors; create and maintain for use by the public and the District officials an index to its public records; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the District.

**Availability of public records**

1. **Public records available for Website download:** The following District Board of Trustees official documents may be downloaded and/or printed from the District's website: [www.sclld.org/about.asp](http://www.sclld.org/about.asp).
  - Recent meeting agendas
  - Approved meeting minutes

- Policies
  - Resolutions
  - By-laws, standing rules, and procedures
2. **Hours for inspection of records.** Public records are available for inspection and copying during normal District business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding legal holidays. Records must be inspected at the District's administrative offices.
  3. **Records index.** An index of public record categories is available for use by members of the public. The index includes identification of the types of records (e.g. Board of Trustees resolutions) but not individual records (e.g. a listing of individual resolutions adopted). The index may be also accessed on-line at [www.sclld.org/public\\_records.asp](http://www.sclld.org/public_records.asp).
  4. **Organization of records.** The District will maintain its records in a reasonably organized manner. The District will take reasonable actions to protect records from damage and disorganization. A requestor shall not take records from District offices without the permission of the public records officer or designee. A variety of records is available on the District's website at [www.sclld.org](http://www.sclld.org). Requestors are encouraged to view the documents available on the website prior to submitting a records request.
  5. **Making a request for public records.**
    - a.) Any person wishing to inspect or copy District public records should make the request in writing on the District's request form, or by letter, fax, or e-mail addressed to the public records officer and including the following information:
      - Name of requestor
      - Address of requestor
      - Other contact information, including telephone number and e-mail address
      - Identification of the public records adequate for the public records officer or designee to locate the records; and
      - The date and time of day of the request.
    - b.) If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. Standard photocopies will be provided at \$0.15 (fifteen cents) per page.
    - c.) A form is available for use by requestors at the office of the public records officer and on-line at [www.sclld.org/public\\_records.asp](http://www.sclld.org/public_records.asp).
    - d.) The public records officer or designee may accept requests for public records that contain the above information by telephone or in person. If the public records officer or designee accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing.

#### **Processing of public records requests — General.**

1. **Providing "fullest assistance."** The District is charged by statute with adopting rules which provide for how it will "provide full access to public records," "protect records from damage or disorganization," "prevent excessive interference with other essential functions of the agency," provide "fullest assistance" to requestors, and provide the "most timely possible action" on public records requests. The public records officer or designee will process requests in the order allowing the most requests to be processed in the most efficient manner.
2. **Acknowledging receipt of request.** Within five business days of receipt of the request, the public records officer will do one or more of the following:
  - a.) Make the records available for inspection or copying;
  - b.) If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;
  - c.) Provide a reasonable estimate of when records will be available; or
  - d.) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer or designee may revise the estimate of when records will be available; or

- e.) Deny the request.
3. **Consequences of failure to respond.** If the District does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond.
  4. **Protecting rights of others.** In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.
  5. **Records exempt from disclosure.** Some records are exempt from disclosure, in whole or in part. If the District believes that a record is exempt from disclosure and should be withheld, the public records 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 public records officer will redact the exempt portion, provide the nonexempt portions, and indicate to the requestor why a portion of the record is being redacted.
  6. **Inspection of records.**
    - a.) Consistent with other demands, the District shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which document(s) he or she wishes the agency to copy.
    - b.) The requestor must claim or review the assembled records within thirty days of the District's notification to him or her that the records are available for inspection or copying. The agency will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the agency to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the District may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.
  7. **Providing copies of records.** After inspection is complete, the public records officer or designee shall make the requested copies or arrange for copying.
  8. **Providing records in installments.** When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.
  9. **Completion of inspection.** When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that the (name of agency) has completed a diligent search for the requested records and made any located nonexempt records available for inspection.
  10. **Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the (name of agency) has closed the request.
  11. **Later discovered documents.** If, after the District has informed the requestor that it has provided all available records, the District becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

**Processing of public records requests — Electronic records.**

1. **Requesting electronic records.** The process for requesting electronic public records is the same as for requesting paper public records.
2. **Providing electronic records.** When a requestor requests records in an electronic format, the public records officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the District and is generally commercially available, or in a format that is reasonably translatable from the format in which the record is kept. Costs for providing electronic records are governed by WAC 44-14-07003.
3. **Customized access to data bases.** With the consent of the requestor, the District may provide customized access under RCW 43.105.280 if the record is not reasonably locatable or not reasonably translatable into the format requested. The District may charge a fee consistent with RCW 43.105.280 for such customized access.

**Exemptions.**

1. The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure.
2. The District is prohibited by statute from disclosing lists of individuals for commercial purposes.

**Costs of providing copies of public records.**

1. **Costs for paper copies.** There is no fee for inspecting public records. A requestor may obtain standard black and white photocopies of paper records and standard black and white printed copies of electronic records for \$0.15 (fifteen) cents per page. Color copying of paper records is not available. Color printed copies of electronic records are available for \$0.25 (twenty-five) cents per page.

Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The District will not charge sales tax when it makes copies of public records.

2. **Costs for electronic records.** The cost of electronic copies of records shall be \$0.75 (seventy-five cents) per CD for information copied to a CD-ROM. The cost of scanning existing District paper or other non-electronic records is \$0.15 (fifteen) cents per page. There will be no charge for e-mailing electronic records to a requestor, unless another cost applies such as a scanning fee.
3. **Costs of mailing.** The District may also charge actual costs of mailing, including the cost of the shipping container.
4. **Payment.** Payment may be made by cash, check, or money order to Spokane County Library District.

**Review of denials of public records.**

1. **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.
2. **Consideration of petition for review.** The public records officer shall promptly provide the petition and any other relevant information to the District's director. The director will immediately consider the petition and either affirm or reverse the denial within two business days following the District's receipt of the petition, or within such other time as the District and the requestor mutually agree to.
3. **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.