

WAC 504-45-040 Processing of public records requests—General.

(1) Providing "fullest assistance." The university is charged by statute with adopting rules which provide for how it is to "provide full access to public records," "protect records from damage or disorganization," "prevent excessive interference with the 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 processes requests in the order allowing the most requests to be processed in the most efficient manner. This may include grouping requests to help ensure university resources are being used efficiently, for example, when an individual requestor, or one or more requestors from the same organization, makes multiple records requests.

(2) Acknowledging receipt of request. Within five business days of receipt of the request, the public records officer or designee does one or more of the following:

(a) Makes the records available for inspection or copying;

(b) If copies are requested and payment for the copies, if any, is made or terms of payment are agreed upon, sends the copies to the requestor;

(c) Provides a reasonable estimate of when records will be available;

(d) If the request is unclear or does not sufficiently identify the requested records, requests clarification from the requestor. Such clarification may be requested and provided by telephone, email, or mail. Based upon that clarification, the public records officer or designee may revise the estimate of when records will be available; or

(e) Denies the request.

(3) Consequences of failure to respond. If the university 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 or designee 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 or designee 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 them 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 includes a copy of the request.

(5) Records exempt from disclosure. Some records are exempt from disclosure, in whole or in part. If the university believes that a record is exempt from disclosure and should be withheld, the public records officer or designee states the specific exemption and provides 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 or designee redacts the exempt portions, provides the nonexempt portions, and indicates to the requestor why portions of the record are being redacted.

(6) Inspection of records.

(a) Consistent with other demands, the university must 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 must indicate which documents they wish the university to copy.

(b) The requestor must claim or review the assembled records within 30 days of the university's notification to them that the records are available for inspection or copying. The university notifies the requestor in writing of this requirement and informs the requestor that they should contact the university 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 30-day period or make other arrangements, the university may close the request. 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 makes any copies of records requested by the requestor or arranges for copying.

(8) Providing records in installments. When the request is for a large number of records, the public records officer or designee provides access for inspection and copying in installments, if they reasonably determine that it would be practical to provide the records in that way. If, within 30 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 indicates that the university has completed a diligent search for the requested records and made any located nonexempt records available for inspection.

(10) Closing withdrawn or abandoned request. The public records officer or designee may close the request and indicate to the requestor that the university has closed the request when the requestor:

(a) Withdraws the request;

(b) Fails to provide clarification within 30 days of a request for clarification;

(c) Fails to fulfill their obligations to inspect the records, which includes opening and downloading the records within 30 days; or

(d) Fails to pay the deposit or final payment for the requested copies within 30 days.

(11) Later discovered documents. If, after the university has informed the requestor that it has provided all available records, the university becomes aware of additional responsive documents existing at the time of the request, it must promptly inform the requestor of the additional documents and make them available for inspection or provide copies upon payment on an expedited basis.

[Statutory Authority: RCW 28B.30.150. WSR 23-19-061, § 504-45-040, filed 9/18/23, effective 10/19/23; WSR 17-23-138, § 504-45-040, filed 11/20/17, effective 12/21/17; WSR 13-24-028, § 504-45-040, filed 11/25/13, effective 12/26/13; WSR 07-04-027, § 504-45-040, filed 1/29/07, effective 3/1/07.]