



Public Records Request Procedure

Procedure Number: 011a

Supersedes Procedure Number: Revised 8/21;1/23

Authorized by: Executive Director Effective 2/22/23 Review Date: 2/1/2030

1. **Public Records Officer:**

Timberland Regional Library (TRL) Administrative Service Center is located in Tumwater, WA. Any person wishing to request access to public records may make the request to the Public Records Officer. Any person seeking assistance in making a request should contact the following:

Public Records Officer:

Attn: Cheryl Heywood, Executive Director, Timberland Regional Library
415 Tumwater Blvd SW Tumwater, WA 98501

Phone: 360-943-5001

Fax: 360-586-6838

librarydirector@trl.org

Information is also available at the Timberland Regional Library web site at:
www.TRL.org

TRL enforces reasonable rules, regulations, and procedures allowing for the time, resource, and personnel constraints to provide full public access to public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of TRL. Such rules and regulations shall provide for the fullest assistance to inquirers and the timeliest possible action on requests for information per *RCW 42.56.100*.

2. **Availability of Public Records:**

- A. **Index.** Timberland Regional Library determined that maintaining an index is unduly burdensome, costly, and would interfere with library operations due to the number and complexity of records generated because of the wide range of library activities and locations.
- B. **TRL website.** Many records are available on TRL's web site at www.TRL.org. Requestors are encouraged to view the documents available on the website prior to submitting a records request.
- C. **Protocol for Inspection/Copying.** Public records are generally available for inspection and copying during normal business hours of Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding state legal holidays, by appointment only. Records must be inspected at the Timberland Regional

D. Library Administrative Service Center. Requestors are prohibited from removing records from library offices.

3. Making a Request for Public Records:

- A. Any person wishing to inspect or copy public records of the library is asked to make the request in writing on the library's Public Records Request Form in person, by regular mail, or by email to the designated records officer. The Public Records Request Form is available at www.TRL.org. Email requests must be addressed to the Executive Director, sent to librarydirector@trl.org and must include the following:
1. Name of Requestor.
 2. Date of Request.
 3. Phone, email, and/or address or other contact information of requestor.
 4. Identification of the public records adequate for the public records officer or designee to locate the records (including title and date, if known).
 5. Location of the requested records, if known.
 6. Whether the requestor intends to inspect the records or obtain a hardcopy or electronic copy of the records, at the cost set forth herein.

4. Processing Public Records Requests:

- A. The Public Records Officer or designee will process all public record requests. Public Record requests received at a library must immediately be sent to the Public Records Officer.
- B. Within five (5) business days of receipt of the request (day one is the first working day after the request is received), the Public Records Officer or designee will provide a response to the requestor. That response may include one or more of the following:
1. Make the records available for inspection or copying after payment has been made, per *RCW 42.56.120*; or
 2. Provide electronic copies to the requestor via a valid email address, after a deposit has been made per *RCW 42.56.120*; or
 3. Acknowledge receipt of the request and provide reasonable estimate of the time the library needs to respond to the request. The Public Records Officer or designee may revise the estimate if additional time is required; or
 4. If the request is unclear or does not sufficiently identify the requested records, acknowledge receipt of the request and request clarification from the requestor. If the entire request is unclear and the requestor does not respond to a request for clarification, the library need not respond. The library will respond, or will attempt to provide a reasonable estimate of time to respond, to portions of the request that are clear, and may need to revise its estimate of its response time; or

5. Deny the request.

C. If the requested records contain information that may affect rights of others and/or may be exempt from disclosure, the Public Records Officer may, prior to providing the records, give notice to those persons. Such notice should be given to make it possible for those receiving the notice to contact the requestor and ask them to revise the request, or, if necessary, *WAC 44-14-040*, to seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will typically include a copy of the request.

D. Some records are exempt from disclosure, in whole or in part. If the library believes that a record or portion of a record is exempt from disclosure and should be withheld, the Public Records Officer or designee will state the specific exemption and provide a brief explanation of why the record, or a portion of the record is being withheld.

E. Inspection of Records:

1. The library will provide a space for persons to inspect public records, by appointment only. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents they wish the library to copy.
2. Parties wishing to inspect electronic records may be provided copies of the records on a storage device, where the records can be accessed in a space for persons to inspect the public records by appointment only. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents they wish the library to copy.
3. The requestor must decide to claim or review the assembled records within thirty days of notification that the records are available for inspection or copying.
4. If the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the library may close the request and re-file the assembled records. In the event the requestor submits a new request for the same or almost identical records, the process will begin anew.
5. **Providing Copies of Records:** After inspection is complete, the Public Records Officer or designee shall make the requested copies or arrange for copying. A requestor may ask the library to provide a summary of the applicable charges before any copies are made. If the requestor makes this request, the library shall provide a summary, and the requestor may revise the request to reduce the number of copies to be made and reduce the applicable charges for compliance with *RCW 42.56.120(2)(e)*. The requestor shall pay any applicable deposit

prior to copies being made. Full payment for copies must be received prior to delivery of the requested copies.

6. **Providing Records in Installments:**
 - a. When the request is for a large number of records or when a portion of responsive records is more readily available than others, the Public Records Officer or designee may provide access for inspection and copying in installments if he or she determines that it would be practical to provide the records in that way.
 - b. If, within thirty days, the requestor fails to inspect the available installments, the Public Records Officer may discontinue their search for the remaining records and close the request.
7. **Completion of Response to Inspect Records:** When the search for requested records is complete and all requested records are provided for inspection, the Public Records Office or designee will indicate that the library has completed a reasonable search for the requested records and made any located, nonexempt records available for inspection.
8. **Closing Withdrawn or Abandoned Requests:** When the requestor either withdraws the request, or fails to clarify an entirely unclear request, or fails to fulfill his or her obligation to timely inspect the records or fails to pay the required amount due for requested copies, the Public Records Officer will close the request and indicate to the requestor the library has closed the request.
9. **Completion of Request:** The library's response to a request shall be deemed completed upon the requestor's inspection of the records, or upon notification that copies of all the requested records have been provided, or upon notification that no responsive records exist, or when the requestor has withdrawn or abandoned the request, *WAC 44-14-04006*.
10. **No Duty to Create New Records:** The library is not obligated to create new records to satisfy a records request; however, the library may, at its discretion, create such new records to fulfill the request were the library deems that method of response more expedient.
11. **Exemptions:**
 - a. The Public Records Act provides several exemptions from public inspection and copying.
 - b. The library is prohibited by statute from disclosing lists of individuals for commercial purposes.
12. **Costs of Providing Copies of Public Records:**
 - a. For certain costs associated with public records requests, it would be unduly burdensome for the library to determine the actual costs for providing public records, given the lack of funds, resources, and staff time available to conduct studies and calculations to determine actual costs. It is more cost efficient, expeditious, and in the public interest for the library to adopt the state legislature's approved fees

and costs for most charges relating to the library's public records, as authorized in *RCW 42.56.120 (2)(a) and .070(7)* and as listed below.

- b. Costs of paper copies: There is no fee for inspecting public records, and a requestor may obtain standard photocopies for fifteen cents (\$.15) per page. If, at the library's discretion, materials need to be copied by an outside source either due to volume, current workload of library staff, or any other reason, the requestor will be charged the actual amount invoiced to the library by the copying vendor.
- c. Envelopes, packaging, and/or storage device (flash drive) are charged at the actual costs of those supplies.
- d. Postage is charged at the actual cost of postage.
- e. Costs for electronic copies: Five cents (\$.05) per each four electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery. Ten cents (\$.10) per gigabyte for the transmission of public records in an electronic format or for the use of TRL equipment to send the records electronically. TRL shall take reasonable steps to provide the records in the most efficient manner available in its normal operations. The cost of electronic copies shall be the actual cost of materials (such as a flash drive) and the cost to scan the records if scanning is necessary. Ten cents (\$.10) per page will be charged for hard copy records that are scanned into electronic format.
- f. TRL may require a deposit in an amount not to exceed ten percent (10%) of the estimated cost of providing copies for a request, including a customized service charge. If TRL makes a request available on a partial or installment basis, a charge for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed, TRL is not obligated to fulfill the balance of the request. TRL may waive any charge assessed for a request pursuant to its rules and regulations. TRL may enter any contract, memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement to the charges authorized in this section, or in response to a voluminous or frequently occurring request pursuant to *WAC 44-14-070*.
- g. Payment may be made by cash or money order payable to Timberland Regional Library.

 2/22/2023

Cheryl Heywood, Executive Director

By the enactment of this procedure the Executive Director of Timberland Regional Library is concurrently rescinding any prior procedure within TRL that is either in conflict with or expansive of the matters addressed in this procedure.