

PURPOSE

It is the intention of the Puget Sound Partnership that all records maintained by the Partnership be available for public access and copying. To this end, the Partnership will provide to the public the fullest assistance to ensure access to records under RCW 42.56.

At the same time, the Partnership recognizes the need to balance this policy of openness against the equally important need for protection of public records from damage, disorganization and to prevent excessive interference with essential functions of the agency.

DEFINITIONS

Public Record

"Public Record includes 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 characteristic." RCW 42.56.010.

Public records may include any reports, working papers, correspondence, forms, photographs, film, recordings, drawings, computer and other machine-readable material, and other documents.

All documents that meet the definition of public records will be made available, except those that are exempt from disclosure under RCW 42.56.210 or other applicable state laws or regulations.

The Partnership is not obligated to create new records in order to respond to a public disclosure request. However, there may be circumstances in which creating a new record is the most practical course of action.

PROCEDURES

Providing Access to Public Records

- a. The Public Records Officer (PRO), appointed by the Partnership Executive Director, responds to all records requests, ensures compliance with public records disclosure requirements, and implements the Partnership's rules regarding release of public records. Any requests received by staff members will be immediately forwarded to the PRO (currently the Executive Assistant).
- b. All requests to inspect or obtain copies of records are requested in writing (emailed, mailed or faxed). Verbal requests, by statute, must also be accepted, either in person or over the telephone. The substance of verbal requests should be promptly confirmed in writing to the requestor. Any request should sufficiently describe the public record so it is identifiable by the Partnership, and reference the corresponding RCW and WAC for public disclosure requests.
- c. The Partnership shall provide access if the request is for a document that meets the definition of a public record, is not exempt from disclosure under RCW 42.56.210, and is not prohibited from release.

Note: The Partnership does not provide lists of individuals to be used for commercial purposes. If a request is for a list of individuals, the requester must also complete an "Agreement Not to Release or Use Information for Commercial Purposes."

d. When providing records for public inspection, the Partnership will arrange a time during customary office hours.

e. Public records may be examined only in the presence of the PRO or his/her Designee. The record will be withdrawn from the reviewer if he/she acts in a manner that will damage, substantially disorganize the records, or interfere excessively with other essential Partnership functions.

Inspection of public records is allowed only where the record is on paper. No requester will be given access to computer equipment to inspect public records contained in a computerized database. A requester, who wishes to inspect an available record that is not on paper, shall sufficiently describe the record, and the Partnership will produce a printout of said record from the computer database.

f. No fee will be charged to inspect a public record(s). Per RCW 42.56.120, requests for photocopies can be charged at fifteen-cents per copy page. The photocopying of disclosable information will be printed double-sided unless otherwise specified by requestor.

Alternatively, the requestor may ask for the records to be copied to a CD in PDF format. If a CD is requested, the requestor agrees to pay for the charge of the CD and protective case. For any records that require mailing, the Partnership will add the actual postage to the overall cost for the records.

Note: Generally, copies are not released until the Partnership has received payment of the copy fees. The Executive Director or the PRO may waive any or all of the fees, or release copies before advance payment is received. Such determinations will be made on a case-by-case basis, and the practice will be kept to a minimum. Reason(s) for the waiver of fees will be noted in correspondence to the requester.

g. If, after the Partnership has informed the requestor that it has provided all available records, and then becomes aware of responsive material that was not initially disclosed, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

Notification of Affected Parties

Instances may arise in which information requested or sources of information are considered sensitive, however the information may not be exempt from disclosure. In these circumstances, it may be appropriate for the Partnership to notify parties who could be affected by the disclosure.

Denying Access

If the PRO determines that any public record is unidentifiable, the request will be denied. The PRO will provide the requester with a written statement specifying the reason for the denial. If applicable, the denial will include a statement of the specific exemption authorizing the withholding of the record and how the exemption applies (RCW42.56.210 ((3))).

Requests for review of the denial must be made in writing. If the PRO affirms the denial, he/she will immediately refer the denial to the Executive Director or his/her Designee. The Executive Director or Designee will either reaffirm or reverse the denial. The decision of the Executive Director or Designee shall constitute final agency action for purposes of judicial review (RCW 42.56.550).