
REQUESTING PUBLIC RECORDS POLICY

Policy No.: 200.001	Resolution No.: 163-92	Date Approved: 12/23/1992	Supersedes the following Resolutions & Policies:
Date procedures adopted by the Executive Director: 12/23/1992		Procedure revision date:	Procedures approved by the Executive Director:

POLICY: (Approved by the Board of Park Commissioners.)

Purpose: Metro Parks Tacoma, a local public agency is required to display and make available for inspection and copying its public records.

Public agencies are authorized to protect public records from damage or disorganization and prevent interference with other essential functions of the agency, consistent with the intent of the Public Disclosure Act, RCW 42.17.250 through 42.17.320 that the Board of Park Commissioners has adopted.

ADMINISTRATIVE PROCEDURE: (Adopted by the Executive Director.)

A. PUBLIC RECORDS OFFICER

1. MPT records shall be in the charge of the Public Records Officer designated by the Executive Director. The person so designated shall be located at the MPT main office. The Public Records Officer shall be responsible for the following:
 - a. The implementation of MPT policy in regard to the release of public records, coordinating with the staff of MPT in this regard and generally insuring staff compliance with the public disclosure requirements of Chapter 42.17 RCW.

B. DISPLAY

1. MPT will prominently display and make available for inspection and copying at its main office, for guidance of the public, the following:
 - a. A description of its organization, and the places at which, the employees from whom, and the methods whereby the public may obtain information, make submittals or requests, or obtain copies of MPT records.
 - b. Statements of the general course and method by which, MPT operations are channeled and determined, including the nature and requirements of all formal and informal procedures available.
 - c. These rules.
 - d. Other rules, regulations, policies, and resolutions adopted by MPT, which may pertain to public inspection and copying of public documents.

C. DOCUMENTS AND INDEXES TO BE MADE PUBLIC

1. Records/Deletions: MPT, subject to these rules, and such additional rules or amendments as may be adopted, shall make available for public inspection and copying of its public records. To the extent required to prevent unreasonable invasion of personal privacy, MPT shall delete identifying

details when it make available or published n any public record; however, in such case, the justification for the deletion shall be explained fully in writing.

2. Index: MPT shall maintain and make available for public inspections and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after January 1, 1973.
3. All final opinions and orders made in the adjudication of cases.
4. All resolutions and policy statements of MPT.
5. Administrative staff manuals and instructions to staff that affect a member of the public.
6. Planning policies and goal, interim and final planning decisions.
7. 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.
8. Correspondence, and materials referred to therein, by and with MPT relating to any regulatory, supervisory, or enforcement responsibilities of MPT, whereby MPT 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.
9. Make available for public inspection and copying all indexes maintained for MPT use, except where excluded by paragraph five.
10. Reliance: A MPT public may be relied upon, used, or cited as precedent by MPT against a party other than a state or local agency and it may be invoked by MPT for any other purposes, provided;
11. It has been indexed in an index available to the public; or
12. Parties affected have timely notice (actual or constructive) or the terms thereof.
13. Commercial Use: MPT shall not be required to sell or provide access to lists of individuals requested for commercial purposes and MPT need not do so unless specifically authorized by its Board of Park Commissioners.

D. INSPECTION AND COPYING

1. Facilities-Availability: MPT public records shall be made available for inspection and copying upon request for identifiable public records.
2. Within five (5) working days of receiving a public records request, MPT must respond by either (1) providing the records; (2) acknowledging that MPT has received the request and providing a reasonable estimate of the time MPT will require to respond to the request; or (3) denying the public record request.
3. Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.
4. In acknowledging receipt of a public record request that is unclear, MPT may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the agency need not respond to it. RCW 42.17.320
5. An agency must accompany denials of requests for public records with a written statement of the specific reasons for the denial.
6. MPT shall make such public records promptly available to any person so requesting.
7. MPT facilities shall be made available to any person for copying MPT public records, except when and to the extent that this would unreasonably disrupt the operations of MPT.
8. MPT shall honor requests received by mail for identifiable public records unless exempted by law or MPT regulations.
9. MPT records shall be available for inspection and copying only during the customary office hours of the custodial office of such records. For purposes of these rules, the customary 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 Saturdays, Sundays and legal holidays).
10. MPT is authorized to destroy information relating to employee misconduct or alleged misconduct, in accordance with RCW 41.06.450, to the extent necessary to ensure fairness to the employee.

11. MPT must also produce any records related to a request that are scheduled for destruction. RCW 42.17.290. Therefore, whenever a request is received, MPT should search the files scheduled for destruction first to avoid the loss of the record.
12. Charges for copying;
 - a. No fee shall be charged for the inspection of MPT public records. MPT shall impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy MPT public records.
 - b. MPT is authorized to fix, from time to time, the per page copying costs to be charged, or the hourly charge for use of MPT personnel involved in searching or copying of records for members of the public. Such cost shall not exceed the amount necessary to reimburse MPT for its actual cost incident to such copying.
 - c. Until further modified by the MPT Executive Director, MPT shall charge \$.10 per page for copies of public records and the use of MPT copy equipment. If the Public Records Officer deems it more efficient to have copying done outside MPT, the charges will be based on the actual cost of such outside copying service.
13. Consistent with honoring of requests for information, MPT shall protect MPT records from damage or disorganization in the course of carrying out requests for inspection or copying.
14. In accordance with the requirements of Chapter 42.17 RCW, to prevent unreasonable invasion of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of MPT, 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 procedure;
 - a. A request shall be made in writing upon a form prescribed by MPT. The form shall be presented to the Public Records Officer, or to another designated member of the staff if the Public Records Officer is not available, during customary office hours. The request shall be in the form MPT Request Public Records and shall include the following information;
 - b. The name of the person requesting the record;
 - c. The date and time when the request was made;
 - d. The nature of the request;
 - e. If the matter is indexed, a reference to the requested record as it is described in the current index;
 - f. If the matter is not indexed, an appropriate description of the record requested.
15. The Public Records Officer or staff person assisting the member of the public making the request will ascertain whether or not the information is exempt from public inspection or copying as outlined in Section 11 below and further defined in RCW 42.17.310.
16. Only after a determination has been made that all or such portions of a public record as is not deleted may be inspected shall such public record or portion thereof be available for inspection by a member of the public.
17. In all cases, it shall be the obligation of the Public Records Officer, or staff person to whom the request is made to;
 - a. Locate the specific document(s) requested by the member of the public in the timeliest manner possible.
 - b. Assist the member of the public in appropriately identifying the public record requested;
 - c. Protect and otherwise prevent damage to the public record being inspected and copied;
 - d. Prevent disorganization of file folders or document containers;
 - e. Remain in the company of the member of the public at all times during which a public document is being inspected, and provide the fullest assistance;
 - f. Prevent excessive interference with the other essential functions of MPT.
18. No public record may be taken from the premises of MPT by a member of the public.
19. Public inspection of MPT records shall be done only in such locations as are approved by the Public Records Officer, which locations must provide an opportunity for staff to ensure that no public records of MPT is damaged, destroyed, unreasonably disorganized or removed from its proper location by a member of the public.

20. Public records of MPT may be copied only on the copying machine of MPT unless the Public Records Officer authorizes other arrangements.
21. Exempt records; the following records shall be exempt from public inspection or copying:
 - a. Personal information in files maintained for employees, appointees, or elected officials, to the extent that disclosure would violate their right to privacy.
 - b. Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would be prohibited to such persons by RCW 82.32.330 or violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer.
 - c. Specific intelligence information and specific investigative records compiled by investigative or law enforcement personnel of MPT, the non-disclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.
 - d. Information revealing the identity of persons who filed complaints with investigative or law enforcement personnel of MPT other than the public disclosure commission, if disclosed, would endanger any person's life, physical safety, or property: Provided, that if at the time of the complaint is filed the complainant indicates a desire for disclosure or non-disclosure, such desire shall govern.
 - e. Test questions, scoring keys, and other examination data used in connection with hiring and employment.
 - f. Except as provided by Chapter 8.26 RCW, the contents of real estate appraisals, made for or by MPT relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.
 - g. Valuable formulas, designs, drawings, and research data obtained by MPT within five years of the request for disclosure when disclosure would produce private gain and public loss.
 - h. Preliminary drafts, notes, recommendations, and intra-MPT memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by MPT in connection with any MPT action.
 - i. Records which are relevant to a controversy to which MPT is a party but which records would not be available to another party under the rules of pre-trial discovery for causes pending in superior courts.
 - j. Records, maps, or other information identifying locations of archeological sites in order to avoid the looting or depredation of such sites.
 - k. All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant. RCW 42.17.310(1)(t).
 - l. The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers. RCW 42.17.310(1)(u).
 - m. MPT reserves the right to determine that a public record requested in accordance with the procedures outlined above is exempt under the provisions of RCW 42.17.310
22. Except for information prohibited from disclosure by RCW 82.32.330 and confidential income data exempt from public inspection pursuant to RCW 84.40.020, the exemptions of this section are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific record sought. No exemption shall be construed to permit the non-disclosure of statistical information not descriptive of any readily identifiable person or persons.

E. DENIALS OF REQUESTS

1. MPT responses refusing in whole or in part, inspection of any MPT public record, shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.
2. Responses to requests for MPT public records shall be made promptly by MPT. Denials of requests shall be accompanied by a written statement of the specific reasons therefore.

3. Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by providing a written request for review. The written request shall specifically refer to the written statement by MPT, which constituted or accompanied the denial.
4. Immediately after receiving a written request for a review of a decision denying the request shall refer it to the Executive Officer or his designee. The Executive Officer shall immediately consider the matter and either affirm or reverse such denial.
5. Administrative remedies shall not be considered exhausted until the Executive Director has returned the petition with a decision, or the close of the second business day following the request for review, whichever comes first.

F. ADOPTION OF FORM

1. MPT adopts for use by all persons requesting inspection or copies of records the form "Request for Public Record" revised 10/1992.