

CCS Administrative Procedure

1.50.02-A Public Records Requests

Implementing Board Policy [1.50.02](#)

Contact: Chief Financial Officer, 434-5275

1.0 Purpose

To provide guidance regarding the actions to be taken by CCS employees and the public records officer in responding to requests for records.

2.0 Limitations and Requirements

- 2.1 The CCS chief financial officer is the designated public records officer.
- 2.2 CCS is required to comply with the following laws governing the release of records.
 - 2.2.1 The state of Washington Public Records Act (Chapter 42.56 RCW).
 - 2.2.2 The federal Family Educational Right to Privacy Act (FERPA) (20 USC S. 1232g).
- 2.3 A public record includes any writing containing information relating to the conduct of CCS business which is prepared, owned, used, or retained by CCS, regardless of physical form or characteristics.
- 2.4 Certain public records are exempt from disclosure, but exemptions are interpreted narrowly. Even if a record is exempt, it must be collected as part of the response and individually identified to the requestor as exempt.
- 2.5 CCS is obligated to promptly respond to a public records request and can be made to pay very costly fines plus attorney's fees if it does not comply with this obligation (or its obligation to disclose or specifically exempt all responsive records).

3.0 Records Request

- 3.1 Any member of the public may submit a public records request.
- 3.2 Requests may be made by completing the CCS Public Records Request form (CCS 2136), which is available on the CCS web site. Requests may also be made verbally, via e-mail, or fax.
- 3.3 Subpoenas and other official legal documents requesting public information are also an acceptable means of requesting public records.
- 3.4 There is a fee for photocopies and scanning public records. The current fees are published on the Public Records Request form. There is no fee for inspection of public records.

4.0 Employee Responsibilities

- 4.1 CCS employees must immediately route all requests for public records, including subpoenas, to the office of the public records officer, MS 1006.
- 4.2 All CCS employees are required to fully assist the public records officer in responding to requests for public records.
 - 4.2.1 Employees must promptly respond to all requests for assistance from the office of the public records officer.

- 4.2.2 When requested to search for records responsive to a public records request, employees must undertake a complete search for any and all records described in the request.
- 4.2.3 All records responsive to the request must be provided to the office of the public records officer. This includes records that may be considered confidential, documents that may be covered by attorney-client privilege, documents that have passed their retention date but have been retained, or documents that could have been disposed of per contractual obligations but were not.
- 4.3 Once a public records request has been received, all documents maintained in any format, hard copy, electronic or otherwise, that are involved in that request must be maintained and may not be destroyed or altered until CCS has fully complied with the request.

5.0 Public Records Officer Responsibilities

- 5.1 The public records officer is responsible for coordinating CCS's responses to public records requests.
- 5.2 Within five business days of receiving a request, the public records officer must provide an initial response to the requestor. The initial response must do one of four things:
 - 5.2.1 Provide the record;
 - 5.2.2 Acknowledge receipt of the request and provide a reasonable estimate of the time it will require to fully respond;
 - 5.2.3 Seek a clarification of the request; or
 - 5.2.4 Deny the request.
- 5.3 Notify an employee when a public records request seeks information contained in an employee's personnel file.
- 5.4 Review all records collected in response to a request to determine whether any of the information requested is exempt from disclosure.
- 5.5 Publish CCS's public records policies, organizational information, and methods for requestors to obtain public records on the CCS web site and in the Washington Administrative Code (WAC 132Q-276).

6.0 Student Records

- 6.1 The release of student records is governed by Public Law 93-380, the Family Educational Rights and Privacy Act (FERPA).
- 6.2 The office of the college chief student services officer is the official custodian of academic records; and, therefore, is the only office that may process requests for student records (WAC 132Q-02-360(4)). The public records officer does not have the authority to respond to requests for student records.
- 6.3 Applicable student information includes transcripts, graduation records, financial aid records, and student work-study time sheets.

7.0 Employee Notification

In the event that a public records request seeks information contained in an employee's file, the public records officer shall:

- 7.1 Make a good faith effort to notify the affected employee by the following prioritized methods:
 - 7.1.1 Telephone call to the employee's work number.
 - 7.1.2 Telephone call to the employee's home and/or cell phone number.
 - 7.1.3 Letter by U.S. mail to the employee's home address.
- 7.2 Notification described above shall be made as soon as possible after a request for a public record is received.
- 7.3 The notification guidelines described herein do not afford any greater or lesser rights to any employee other than what is described in RCW 42.56.540.
- 7.4 These notification guidelines will not impede or restrict the obligations of CCS as a state agency and its public records officer from performing their statutorily created duties under chapter 42.56 RCW.
- 7.5 Personal objections to release of documents by an employee or others will not delay the release of records if the records are determined to be disclosable.

8.0 Related Resources

- 8.1 Chapter [42.56 RCW](#), Public Records Act.
- 8.2 WAC [132Q-276](#), CCS Public Records.
- 8.3 Family Educational Right to Privacy Act (FERPA) ([20 USC S. 1232g](#)).
- 8.4 WAC [132Q-02](#), CCS Student Records.
- 8.5 CCS Public Records Request form, [CCS 2136](#).