



Public Records Requests Policy

It is the policy of the Fort Vancouver Regional Library District (“FVRL”) to release public records in compliance with the Washington State Public Records Act, set forth in Chapter 42.56 of the Revised Code of Washington (“RCW”), and any other applicable provisions of federal or state law. The Public Records Policy (“Policy”) applies to library system records created and retained by staff, administrators, the Board of Trustees, and any third-party records in FVRL’s possession to the extent not exempt from disclosure pursuant to state law or any applicable law.

Purpose

The purpose of this Policy is to comply with Chapter 42.56 RCW, the Public Records Act. This document provides guidance to public records requesters, as well as FVRL employees who respond to such requests.

Public Records Officer

FVRL has designated the Communications and Marketing Director as the official Public Records Officer (“PRO”) for the FVRL. While the individual serving as the PRO may change over-time, requestors can find current contact information for the PRO on the FVRL website. The PRO is responsible for managing the disclosure of public records to ensure compliance with the law, responding to and tracking requests or designating another individual to respond, and serves as the principal contact with any requester making a public records request. Any person wishing to request, inspect, or seek assistance regarding FVRL’s public records should contact the PRO as follows:

Public Records Officer
Fort Vancouver Regional Library District
2018 Grand Blvd, Vancouver, WA 98661
Telephone: 360-906-5010
Email: public_records@fvrl.org

Types and Availability of Records

FVRL makes certain public records available on its website including, but not limited to FVRL board meeting agendas, board meeting minutes, financial reports, and budget documents. FVRL complies with applicable public records retention and disclosure laws and strives to follow best practices in implementing the Policy.

Pursuant to RCW 42.56.070(4), FVRL finds that it is not required to maintain a current index of public records because the requirement is unduly burdensome and would interfere with FVRL operations as stated in the [Board Resolution No. 2024-08](#) adopted by the Board of Trustees on September 21, 2024.

Public records are available for inspection and copying at FVRL's Operations Center in Vancouver, WA, from 9:00am-5:00pm, Monday-Friday.

Submitting Requests

All requests either for inspection or for copies (paper or electronic) of public records should be in writing addressed to the Public Records Officer and may be sent by mail, e-mail to public_records@fvrl.org or fax or delivered in person to the FVRL Operations Center or any branch library.

Any person wishing to inspect or receive copies of public records of FVRL should include the following information in the public records request:

1. Name of requestor, the date and time of the request;
2. A means of communicating to the requester, such as mailing address, telephone number, and email address;
3. Description of the public records requested with details of the records being sought and date ranges that are adequate for the PRO to do a reasonable search to identify and locate the public records; and
4. Whether the requester is seeking to inspect the record(s) or if copies are being requested.

FVRL will respond to all Public Records Act requests within five (5) business days in compliance with RCW 42.56.520. The FVRL response to the requester may include:

1. Notifying the requester that the documents are available for inspection or copying;
2. Acknowledging the request was received in writing and providing a reasonable estimate of the time the FVRL will require to provide a first installment or complete the request;
3. Seeking clarification from the requester;
4. Identifying the physical location or internet site where the documents are available to the public;
or
5. Denying the public records request.

Processing Requests

The PRO will process requests in an order that allows requests to be processed most efficiently. When FVRL receives a public record request or at any time while processing a public record request, the PRO will determine a reasonable time estimate within which FVRL can respond to the request that will factor in the nature, volume, and availability of the requested records; the amount of time necessary to respond to a particular request and its effect on the amount of staff time that can be devoted to responding to the requests of other requesters; and the impact on other essential FVRL functions. Specific factors that may affect the response time estimate include, but are not limited to:

1. Number of pending requests from the same requester;
2. Volume of records requested;
3. Complexity or ambiguity of the request;
4. Access to database or electronic system records;
5. Information Technology (IT) staff involvement;
6. Records not easily identified, located, and/or accessible;

7. Current staffing, including any amount of time needed by District staff who are not primarily responsible for public record processing;
8. Third-party notice;
9. Complex review to determine if content is exempt;
10. Extensive and complicated electronic redaction;
11. Legal review;
12. Resolving issues related to retention of responsive records; and/or
13. Grouped requests.

To provide fullest assistance to all requesters and prevent excessive interference with other essential FVRL functions, FVRL may allocate specific amounts of time and resources to responding to a request. This may include, but is not limited to, allocating a specific number of hours per week or per month to be spent by public records staff or employees for whom responding to record requests is not among their primary assigned duties. The amount of time shall be based on the factors outlined above.

When a request is complicated or for a large volume of records, FVRL may elect to provide records on an installment basis. If a requester does not contact the PRO within thirty (30) days to arrange for the review of the installment, FVRL may deem the request abandoned and stop fulfilling the remainder of the request.

Denial and Appeal

FVRL reserves the right to deny requests for public records under provisions of the Public Records Act, RCW Ch. 42.56, and will provide a written 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.

FVRL is not required to accept certain automated or bot requests. FVRL may deny multiple automated or bot requests from a requester in a 24-hour period. FVRL does not accept voice mail record requests or requests through social media platforms, because social media and voicemails are not monitored daily.

FVRL has an appeal process and encourages any requester who believes a public record has been wrongfully withheld or redacted (in whole or in part), to submit the appeal in writing to the PRO stating the reasons for the appeal. Requesters are also encouraged to meet and confer with the PRO prior to seeking secondary review.

Exemptions

FVRL applies exemptions for public records requests in compliance with the exemptions provided under the Washington Public Records Act, Chapter 42.56 RCW. Some records are exempt from disclosure, in whole or in part. If FVRL believes that a record is exempt from disclosure and should be withheld, the PRO will state the specific exemption and provide 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 PRO will redact the exempt portions, provide the non-exempt portions, and inform the requester why portions of the record are redacted.

For informational purposes, under the Washington Public Records Act, Chapter 42.56 RCW, the records exempt from disclosure include, but are not limited to:

- **Library Records of Individual Users.** Any library record subject to RCW 42.56.310, as interpreted by FVRL's Confidentiality of Patron and Circulation Records Policy, is exempt from disclosure and will not be released under the Public Records Act.
- **Public Records Act Exemptions.** The Public Records Act exempts several categories of documents and records from disclosure under RCW 42.56.210 et seq. Documents falling into any of these categories may be withheld from disclosure under the Public Records Act.
- **Commercial Purposes.** FVRL is prohibited from disclosing lists of individuals for commercial purposes as provided in RCW 42.56.070. If a request includes a list of individuals, FVRL shall require that the requestor provide information necessary to determine if disclosure of the list of individuals is permitted or prohibited by RCW 42.56.070(8).
- **Address Confidentiality for Victims of Domestic Violence, Sexual Assault, and Stalking.** Any employee's name and other personally identifying information if they or a dependent are survivors of domestic violence, sexual assault, sexual abuse, stalking, or harassment, or if they participate in the address confidential program under chapter 40.24 RCW (RCW 42.56.250(1)(i)).
- **Other Exemptions.** In addition to the exemptions provided under the Public Records Act, Washington provides several additional exemptions that are not listed in the Public Records Act. A non-exclusive list of these exemptions is available at: [Public Records Act for Washington Cities, Counties, and Special Purpose Districts \(mrsc.org\)](http://mrsc.org). Documents falling into any exemption recognized by Washington statute, or otherwise under local, state, or federal law, may be withheld.

Third-Party Rights

Prior to releasing a record, FVRL may, at its sole discretion, provide notice to an individual or organization named in a public record or to whom the record specifically pertains (unless notice is required by law) to allow the third-party to seek relief pursuant to RCW 42.56.540. FVRL may take into account any such third-party notification, including the time necessary for any request for injunction or other relief under RCW 42.56.540 to be resolved, in providing an estimate for when the records will be available. Nothing in this Policy is intended to create any third-party right to notice of Public Records Act requests.

Fees

RCW 42.56.120 allows for a reasonable charge for printed copies to be imposed for producing copies of public records including the actual costs directly incident to such copying, including customized service charge when a staff member's expertise is required to locate and fill the request.

All copies of public records with the exceptions noted above, will incur a charge of 15¢ per page (subject to change) to reproduce and cover the postage cost, if mailed. Public records provided electronically will generally be provided without charge.

At their discretion, the PRO may elect to waive these fees. Fees may generally be waived when the expense of billing exceeds the cost of copying and postage.

If charges related to copying have not been paid by the requester, the PRO may withhold the relevant documents from disclosure until outstanding fees are paid by the requester.

Law Enforcement Requests

FVRL may consult with legal counsel before the release of information to law enforcement. Law enforcement will receive access to confidential library records upon receipt of process, order, or subpoena in proper form and with a showing of good cause for its issuance.

Delivery of Records

Documents are available for inspection by appointment at FVRL's Operations Center in Vancouver, WA, during Monday through Friday, 9:00am – 5:00pm, excluding legal holidays or upon official closure of FVRL. Arrangements for inspection and/or copying must be made in advance. To schedule an appointment, email public_records@fvrl.org or contact the Public Records Officer at 360-906-5010.

Inspection of public records must occur in a non-disruptive manner. No member of the public may remove public records from the viewing area or disassemble, destroy or alter any public record. The requester shall indicate which records they wish to have copied using a mutually agreed upon non-permanent method of marking the desired record.

On request, physical or electronic copies may be made available to the requester. FVRL may determine the method of production for electronic records at its own discretion if the electronic files are too large to be shared via email. FVRL will not provide records on portable media (e.g. thumb drives) provided by a requester or by uploading to a private file-sharing site.

Failure to Respond

FVRL will deem a request abandoned in the following circumstances:

1. If a requester fails to respond to a FVLR request to clarify, whether individual or grouped, within thirty (30) days of the request for clarification, and the entire request is unclear;
2. If a requester has elected to inspect records, the request, whether individual or grouped, may be deemed abandoned:
 - a. If the requester fails to contact the PRO to arrange for the review of the installment within thirty (30) days of making arrangements to inspect the records in person.
 - b. If the requester misses an appointment to inspect responsive records or any installment of records and fails to contact the PRO to arrange another appointment to inspect within 30 days of the original request.
3. If a requester has elected to receive copies of records, a request, whether individual or grouped, may be deemed abandoned:
 - a. If the requester fails to open and download within thirty (30) days copies of responsive records or any installment of records provided to the requester electronically.
 - b. If the requester fails to pick up hard copies of responsive records or any installment of records within thirty (30) days of the date on which such copies are made available for pickup.

- c. If the requester fails to pay for copies of any records or any installment of records within thirty (30) days of receiving an invoice for those records.

Closing the Request

Once all copies of requested records have been provided to the requester, the requester has reviewed the requested records, or thirty (30) days have passed since the requester was notified that the records were available and the requester has failed to contact the PRO to arrange for the review of those records or for payment for copies, the PRO shall close the records request.

Disclaimer of Liability

Neither the FVRL nor any employee, official, trustee or custodian shall be held personally liable, nor shall a cause of action exist, for any loss or damage, if the release of records was based upon a good faith attempt to implement the Policy outlined in this document and in accordance with the Washington Public Records Act.

Implementation

This Policy will be implemented by the Public Records Officer, as delegated by the Library Executive Director. The PRO is expected to make every effort to apply these rules in a fair, consistent, reasonable, and positive manner.

Any person requesting public records who questions the way this Policy has been applied, may use the appeal process established by the Appeal Rights of Patrons Policy.

Board Approved

This Policy fully supersedes and replaces all previous Public Records Policy documents for FVRL.

Adopted: September 21, 2024