



Policy 5.14

Public Records Requests

Adopted by Library Board of Trustees: 07/28/2016

Revised: 12/11/2024

Scope

North Olympic Library System (NOLS) records subject to RCW 42.56.

Purpose

Pursuant to RCW 42.56, it is the policy of NOLS to make available for inspection and copying, upon request, its public records that are not exempt under RCW 42.56 or other applicable law.

Public Records Officer

NOLS designates the Executive Director as its Public Records Officer. The Public Records Officer shall ensure compliance with the Public Records Act, track all requests for public records, respond to all requests for public records or designate another individual to respond, and coordinate the review and retention of records.

Any person wishing to inspect NOLS records or seeking assistance in making such a request should contact the Public Records Officer as follows:

Public Records Officer
North Olympic Library System
2210 South Peabody Street, WA 98362
360-417-8500 x7717
publicrecords@nols.org

Types and Availability of Records

NOLS makes a variety of records available on its website including Board meeting agendas, Board meeting minutes, annual reports, and budget documents.

NOLS adopts the State of Washington Local Records Committee's Local Government General Records Retention Schedule and Records Management guidelines as its public records retention schedule and authorization for destruction. These State guidelines have been reviewed by the State Attorney General and the State Auditor offices. A copy of the Local Government General Records Retention Schedule and Records Management guidelines is on file in the NOLS Administrative Office.

For reasons stated in Resolution 16-07-10, adopted by the Board of Trustees on July 28, 2016, and incorporated herein by reference, NOLS finds that it would be unduly burdensome and would interfere with Library operations to maintain an index of records.

NOLS is not obligated to create records that do not exist, to obtain records from another

agency that NOLS does not have, to mail records at NOLS expense, or to respond to unclear requests that are not clarified upon request.

Public Records Requests

All requests should be made in writing and directed to the Public Record Officer. NOLS standard and preferred request method is using the Public Records Request Form available on the NOLS website. Although requesters are strongly encouraged to use the Request Form, a requester may also submit a request by postal mail, email, or in person during public access hours at any NOLS library branch.

NOLS has no duty to accept certain automated or bot requests. NOLS may deny bot requests that are one of multiple requests from a requester in a 24-hour period if responding to multiple requests would cause excessive interference with the Library's other essential functions. Because social media and voicemails may not be monitored daily, NOLS does not accept record requests via these means.

Any person wishing to inspect or copy NOLS public records should include the following information in the request:

1. 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. Identification of the public records requested with descriptions that are adequate for the Officer to locate the records; and
4. Whether the requester is seeking to inspect the record(s) or if copies are being requested.

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

- a. Notifying the requester that the documents are available for inspection or copying;
- b. Acknowledging the request in writing and providing a reasonable estimate of the time NOLS will require to respond to the request;
- c. Seeking clarification from the requester;
- d. Identifying the physical location or internet site where the documents are available to the public, or;
- e. Denying the records request.

Processing Requests

The Public Records Officer or designee will process requests in an order that allows requests to be processed most efficiently. When NOLS receives a public record request or at any time while processing a record request, the Public Records Officer will determine a reasonable time estimate within which NOLS 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 Library functions.

Specific factors that may affect the response time estimate include, but are not limited to:

- a. Number of pending requests from the same requester;
- b. Volume of records requested;
- c. Complexity or ambiguity of the request;
- d. Access to database or electronic system records;
- e. Information Technology (IT) staff involvement;
- f. Records not easily identified, located, and/or accessible;
- g. Current staffing, including any amount of time needed by District staff who are not primarily responsible for public record processing;
- h. Third-party notice;
- i. Complex review to determine if content is exempt;
- j. Extensive and complicated electronic redaction;
- k. Legal review;
- l. Resolving issues related to retention of responsive records; and/or
- m. Grouped requests.

To provide fullest assistance to all requesters and prevent excessive interference with other essential Library functions, NOLS 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 for a large volume of records, NOLS may elect to provide records on an installment basis. If a requester does not contact the Public Records Officer within thirty (30) days to arrange for the review of the installment, NOLS may deem the request abandoned and stop fulfilling the remainder of the request.

Statutory Exemptions

RCW 42.56.070(8) prohibits the disclosure of lists of individuals for commercial purposes. Therefore, if a public records request seeks a list of individuals, NOLS 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). (The Commercial Purpose Declaration can be found on the Public Records Request Form.)

According to RCW 42.56.310, any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user is exempt from public disclosure.

According to RCW 42.56.230, personal information that would violate one's right to privacy is exempt from public inspection and copying. Any personal information, such as residential addresses and phone numbers, medical records, and social security numbers, in files maintained for employees, appointees, or public officials of NOLS are exempt. Routine performance evaluations which do not discuss specific instances of gross misconduct are also exempt. Other items that are exempt include industrial insurance (workers' compensation) claim files and records and any tax information.

According to RCW 42.56.250, applications for employment, including résumés and other related materials submitted with respect to an applicant, are exempt as well as test questions and scoring. Additionally, 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 RCW 42.56.250(1)(i).

Other exemptions are defined in RCW 42.56 and other applicable laws.

If any record is withheld, the Public Records Officer shall cite the legal exemption that authorizes such withholding and provide a brief explanation for the withholding.

If certain public records contain some material that is subject to public disclosure and some material that is exempt, NOLS shall redact the material that is exempt before providing the records. NOLS shall provide the reason for the redaction and cite the applicable exemption(s).

Third Party Rights

Prior to releasing a record, NOLS may, at its 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. NOLS 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 document is intended to create any third-party right to notice of Public Records Act requests.

Law Enforcement Requests

NOLS will 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.

Charges

For reasons stated in Resolution 24-12-09, adopted by the Board of Trustees on December 11, 2024, and incorporated herein by reference, NOLS finds that it would be unduly burdensome and would interfere with Library operations to calculate all actual costs for providing records.

In compliance with RCW 42.56.120, no fees are charged for inspection of documents. Fees for paper or electronic copies will be charged pursuant to the state statutory default copying charges detailed in RCW 42.56.120, which are subject to change without written notice. The current Fee Schedule is attached to the Public Records Request Form.

At their discretion, the Public Records Officer 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 Public Records Officer may withhold the relevant documents from disclosure until outstanding fees are paid by the requester.

Delivery of Records

Documents are available for inspection by appointment the NOLS Administrative Office at the Port Angeles Main Library, Monday through Friday, 9:00am – 5:00pm, excluding legal holidays or upon official closure of NOLS. Arrangements for inspection and/or copying must be made in advance. To schedule an appointment, email publicrecords@nols.org or contact the Public Records Officer at 360-417-8500.

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 or alter any public record. The requester shall indicate which records they wish to have copied using a mutually agreed upon nonpermanent method of marking the desired record.

On request, physical or digital copies may be made available to the requester. NOLS 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. NOLS 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

NOLS will deem a request abandoned in the following circumstances:

1. If a requester fails to respond to a NOLS 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, maybe deemed abandoned:
 - a. If the requester fails to contact the Public Records Officer 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 Public Records Officer to arrange another appointment to inspect within 30 days of the missed appointment.
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; or
 - d. If the requester fails to pay a deposit, as provided in the Charges section of the Public Records Request Policy, within thirty (30) days of receiving an invoice for such deposit.

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 Public Records Officer to arrange for the review of those records or for payment for copies, the Public Records Officer shall close the records request.

Disclaimer of Liability

Neither NOLS nor any officer, employee, official, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of public records if the person releasing the records acted in good faith in attempting to comply with the Policy or process outlined in this document.