

Public Records Act Disclosure Policy

The Eastmont Metropolitan Park District (EMPD) is committed to providing the public full access to public records in accordance with the Washington State Public Records Act (PRA), referenced in [RCW Chapter 42.56](#) and the Model Rules of [WAC 44-14](#).

The purpose of the PRA is to provide the public with full access to records concerning the conduct of government, mindful of individual privacy rights and the desirability of the efficient administration of government.

This PRA Disclosure policy establishes the procedures the EMPD will follow to provide for the fullest assistance to requestors including the most timely possible action on requests, while protecting public records from damage and preventing “excessive” interference with other essential agency functions.” [RCW 42.56.100](#).

Except where these guidelines are mandated by statute, the guidelines in this policy are discretionary and advisory only and shall not impose any affirmative duty on the EMPD. The EMPD reserves the right to apply and interpret this policy as it sees fit, and to revise or change the policy at any time.

DEFINITIONS

1. The EMPD” includes any office, board, agency, or commission of the Eastmont Metropolitan Park District.

[RCW 42.56.010\(1\)](#).

2. “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 the EMPD regardless of physical form or characteristics. [RCW 42.56.010\(2\)](#).

3. “Writing” means handwriting, typewriting, printing, photo stating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated. [RCW 42.56.010\(3\)](#).

RESPONSIBILITY

Public Records Officer: The EMPD Public Records Officer is the Park Director. Other EMPD staff members may also process public records requests, as needs Require under the direction of the Park Director.

Park Attorney: The EMPD’s retained Attorney’s Office shall provide legal advice to the Public Records Officer or designee on those occasions when such advice is sought.

Additionally, when requested by the Park Director, the EMPD retained Attorney's Office will provide a timely written response to a written request for explanation of a denial of the release of public information as provided in Section 15 of this policy.

Central Office: The EMPD's central office for requesting records is 255 N. Georgia Avenue, East Wenatchee Washington 98802.

PROCEDURE

1. How to Request Records:

General Records Requests - Any person requesting access to general public records or seeking assistance in making such a request must contact the Park Director located at:

255 N. Georgia Avenue
East Wenatchee WA, 98802
509-884-8015

2. Request Format: The EMPD encourages that all requests for public records be made in writing on a [Request for Access to Public Records Form](#), which is available at the Park Office and on the EMPD's website www.eastmontparks.com.

Requests may be submitted in person, orally, by mail, fax, or e-mail. Mail, e-mail, and faxes will be considered received on the date the form is stamped "received", not on the date sent. Requests should include:

- A. The requestors name, mailing address, and contact phone number.
- B. The date of the request.
- C. The nature of the request, including a detailed description of the public record(s) adequate for the EMPD personnel to be able to locate the records.
- D. A statement regarding whether the records are being requested for a commercial purpose.
- E. Signature of Requester.

Requests for public records made orally must be made to the Park Director identified in this policy during normal business hours.

A variety of records are available on the EMPD's website at www.eastmontparks.com. Requestors are encouraged to view records available on the website prior to submitting a records request.

3. Response to Requests: The EMPD will process requests in the most efficient manner as the Public Records Officer (defined above) deems appropriate. Within five (5) business days of receiving a request, the EMPD will either (A) provide the record; (B) acknowledge that the request has been received and provide a reasonable time estimate it will need to respond to the request; or (C) deny the request. Additional time to respond may be based on the need to clarify the intent of the request, to locate and assemble the records, to notify third parties or agencies affected by the request and provide such parties/agencies with the opportunity to seek a court order preventing disclosure where appropriate, and/or to determine whether any of the information requested is exempt from disclosure. If the requestor fails to clarify an unclear request

within 15 days, the EMPD will treat the request as having been withdrawn. [RCW 42.56.520](#).

4. Providing Records in Installments: When the request is for a large number of records, the EMPD may provide access for inspection and copying in partial installments if reasonably determined that it would be practical to provide the records in that way. If the requestor fails to inspect the entire set of records or one or more of the installments within 15 days, the Public Records Officer may stop searching for the remaining records and close the request. [RCW 42.56.120](#).

5. No Duty to Create Records: This policy does not require the EMPD to answer written questions, create new public records, or provide information in a format that is different from original public records; however, the EMPD may in its discretion, create such a new record to fulfill the request where it may be easier for the EMPD to create a record responsive to the request than to collect and make available voluminous records that contain small pieces of information responsive to the request. [WAC 44-14-04003\(5\)](#)

6. No Duty to Supplement Responses: The EMPD is not obligated to hold current records requests open to respond to requests for records that may be created in the future. A new request must be made to obtain later-created public records.

7. Fees: The charge for photocopies is fifteen cents per page or the actual per page cost, whichever is greater. When public records are mailed to a requestor, a charge for postage and the cost of the envelope or container used may be added. No fee is charged for inspection of a public record or for locating a record. Fees may be waived due to the few number of copies made or other circumstances. Payment of fees is required prior to release of records unless other arrangements have been made. [RCW 42.56.120](#)

8. Deposit: The EMPD may require a deposit of up to ten percent (10%) of the estimated cost of copying records prior to copying any records for a requestor. The EMPD may also require payment of the remainder of the cost before providing all of the records, or the payment of the costs of copying an installment before providing that installment. [RCW 42.56.120](#)

9. Availability of Public Records: Public records are available for inspection and copying at the Park Office during normal business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding legal holidays. EMPD personnel and the requestor may make mutually agreeable arrangements for time(s) of inspection and copying.

10. Preservation of Public Records: No member of the public may remove a public record from a viewing area, disassemble, or alter any public record.

11. Organization of Public Records: The EMPD will maintain its records in a reasonably organized manner and take reasonable actions to protect

records from damage and disorganization. Because of the limited purpose of the EMPD and its small staff it would be unduly burdensome and would interfere with agency operations to maintain indexes of EMPD records.

12. Closing Abandoned Requests: If the requestor withdraws the request, fails to fulfill his or her obligations to inspect the records within 15 days of notice that the records are available for inspection, or fails to pay the deposit or final payment for the requested copies, EMPD personnel will close the request. EMPD personnel will document closure of the request and the conditions that led to closure. [RCW 42.56.120](#)

13. Records and Information Exempt from Public Disclosure: The EMPD is not required to permit public inspection and copying of records for which public disclosure of the record is prohibited, restricted or limited by state or federal statute or regulation. The EMPD is prohibited by statute from disclosing lists of individuals for commercial purposes. [RCW 42.56.070\(9\)](#)

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. [RCW 42.56.230 through 42.56.480](#) contains a large number of exemptions from public inspection and copying.

Other statutes outside the Public Records Act may prohibit and exempt disclosure of certain documents or information [RCW 42.56.070\(1\)](#).

The EMPD's failure to list an exemption shall not affect the effectiveness of the exemption.

14. Denial of Request Due to Exemption: All denials of requests for public records will be accompanied by a written statement specifying the reason(s) for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [RCW 42.56.210\(3\)](#)

15. Mechanism for Review of Denial: Any person who objects to the denial of a public records request may petition in writing to the Park Director for a review by the retained Park Attorney of that decision. The petition shall include a copy of or reasonably identify the written statement by the Park Director or designee denying the request. The retained Park Attorney shall perform a review of the denial as promptly as possible. Pursuant to state law, the review shall be deemed concluded at the end of the second business day following the denial to represent final action for the purposes of judicial review. [RCW 42.56.530](#).

16. Retention of Records: The EMPD is not required to retain all records it creates or uses. However, the EMPD will follow [RCW Chapter 40.14](#), Preservation and Destruction of Public Records, in the retention and destruction of public records. The State Attorney General's Local Records Committee approves a general retention schedule for local agency records that is common to most agencies. Individual agencies may seek approval from the Local Records Committee for retention schedules specific

to their agency or that, due to their particular business needs, must be kept longer than provided in the general schedule.

17. Disclaimer of Liability: Neither the EMPD nor any officer or employee, 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 this policy.

This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as "shall", nothing in this policy is intended to impose mandatory duties on the EMPD beyond those imposed by state and federal law.

ADOPTED_____

BOARD CHAIRMAN_____.