

# Yakima Valley Libraries

## Public Records Request Policy & Order

### Authority and Purpose.

[RCW 42.56.070\(1\)](#) requires each agency to make available for inspection and copying nonexempt “public records” in accordance with published rules. The Act, [RCW 42.56.010\(3\)](#), defines “public record” to include 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 agency regardless of physical form or characteristics and specifically excludes records that are not otherwise required to be retained by the agency.

To establish the policy and procedures that Yakima Valley Libraries will follow in order to provide full access to public records, assistance to requestors, and timely responses, while at the same time protecting public records from damage or disorganization, preventing disclosure of exempt or confidential information, and preventing excessive interference with other essential functions of the Library.

### Request(s)

All persons desiring to inspect or receive a copy of any public record of the Yakima Valley Libraries should submit their request to the Public Records Officer, or designee at [publicrecords@yvl.org](mailto:publicrecords@yvl.org). Requests may be written, email, or oral. A form is available for your convenience.

### Processing of public records requests.

A. *Prompt Responses.* Responses to requests for public records shall be made promptly and pursuant to guidelines established in Chapter [42.56](#) RCW.

B. *Acknowledging Receipt of Request.* Within five business days of receiving a written public record request, not including the date on which the Public Records Officer receives the request, the Yakima Valley Libraries must acknowledge the request in one of the ways provided in this subsection:

1. Provide the record;
2. Provide an internet address or link on the Yakima Valley Libraries’ website to the specific records requested, except that if the requester notifies the Yakima Valley Libraries that he or she cannot access the records through the internet, then the Yakima Valley Libraries will provide access to copies. If copies are requested, Yakima Valley Libraries will provide them, after payment for the copies has been made by the requestor, or, if copies are being released in installments, after payment of a deposit is made pursuant to the Copying Fees.
3. Acknowledge that the Yakima Valley Libraries has received the request and provide a reasonable estimate of the time the Yakima Valley Libraries will require to respond to the request. This estimate will take into consideration the large number or volume of records requested, the complexity of the request, the time it will take to coordinate departments to locate and assemble the requested records, third-party notice, review of records for exemption and review of exemptions and records by legal staff;
4. If the request is unclear or does not sufficiently identify the requested records, the Yakima Valley Libraries will request clarification from the requestor. The Public Records Officer or designee may revise the estimate of when records will be available based on the clarification from the requestor. If the requestor fails to respond to the request to clarify, and the entire request is unclear, the Yakima Valley Libraries will inform the requester that the request is closed. Otherwise the Yakima Valley Libraries will respond to the portions of the request that are clear;
5. Deny the public record request. Denials must be accompanied by a written statement of specific reasons for the denial.
6. Identifiable Record. A public records request must be for identifiable records. A request for all, or substantially all, records prepared, owned, used or retained by the Yakima Valley Libraries is not a valid request for

identifiable records; provided, that a request for all records regarding a particular topic or containing a particular keyword or name shall not be considered a request for all of the Yakima Valley Libraries' records.

C. *Records Exempt from Disclosure.* Some records are exempt from disclosure, in whole or in part. If Yakima Valley Libraries believes that a record is exempt from disclosure and should be withheld, the Public Records Officer 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 Public Records Officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

D. *Exemption Log.* If the Yakima Valley Libraries determines that a record is exempt and should be withheld, in whole or in part, the Yakima Valley Libraries will prepare and maintain an exemption log of those records. A copy of the exemption log will be provided to the records requestor.

#### **Providing records to requestor.**

A. *Receiving Records.* The requestor may indicate to the Public Records Officer whether he or she wishes to inspect records, have the records copied, or have the records provided electronically.

B. *Inspection of Records.* If a requestor seeks an opportunity to inspect public records, an appointment shall be made with the Public Records Officer. The records will be available for inspection by appointment at Yakima Valley Libraries' [Service Center](#) Monday through Friday 9am to noon and 1 to 4pm, excluding legal holidays or upon official closure of the facility. The Public Records Officer, or designee, shall be present or otherwise monitor when records are being inspected. The requestor shall indicate which documents they wish the agency to copy and the Public Records Officer will notify the requestor when the requested documents will be available to claim.

C. *Providing Records in Installments.* Public records may be made available on a partial or installment basis, as records that are part of a larger set of requested records are assembled or made ready for public inspection or disclosure.

D. *Revised Estimate of Time.* At any time while processing a request, the Public Records Officer may provide the requestor with a revised reasonable estimate of time within which the Yakima Valley Libraries will respond to the request. In addition, a revised estimate may be based upon any unexpected or unforeseen delays encountered during the request processing, additional requests submitted by the same requestor while the initial request is pending, and changed circumstances or other considerations ascertained during processing.

E. *Providing Electronic Records.* When a requestor requests records in an electronic format, if technically feasible, the Public Records Officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the Yakima Valley Libraries and is generally commercially available; or will provide the records in a format that is reasonably translatable from the format in which the agency keeps the record. The requestor may also opt to have the records provided to them on digital storage media or device.

F. *Withdrawn or Abandoned Requests.* The Yakima Valley Libraries may consider a request abandoned and close a request when the requestor either withdraws their request or fails to fulfill their obligations in the processing of the request. The Yakima Valley Libraries may consider a request abandoned in the following circumstances:

1. If an entire request is unclear, and the requestor fails to clarify the request within 30 days of Yakima Valley Libraries' request for clarification;
2. If the requestor fails to inspect records within 30 days of being notified that records are available for inspection;
3. If the requestor misses an appointment to inspect records and fails to contact the Yakima Valley Libraries within 30 days of the missed appointment;
4. If the requestor fails to pick up records at Yakima Valley Libraries Service Center within 30 days of being notified that the records are available for in-person pick-up; or
5. If the requestor fails to pay copying fees, pay a deposit or the final payment for the requested copies of records within 30 days of receiving an invoice from the Yakima Valley Libraries for payment thereof.

G. *Closing a Request.* After the Public Records Officer has completed a request for disclosure by providing the requestor with responsive documents and an exemption log, if applicable, the Public Records Officer will close the request and inform the requestor of this status. A closing letter to a requester will explain how the request was fulfilled and why the request is now being closed. A closing letter will also inform the requestor that the PRA has a one-year statute of limitations to seek judicial review, that the statute of limitations has started to run, and that Yakima Valley Libraries does not intend to further address the request. Finally, a closing letter will invite a requester to ask follow-up question within a reasonable period of time, which will be specified in the closing letter.

#### **Exemptions.**

The Yakima Valley Libraries adopts by reference the exemptions from public disclosure contained in Chapter [42.56 RCW](#), including any future amendments thereto or recodification thereof, along with any other exemption provided by law.

#### **Copying Fees.**

A. Yakima Valley Libraries has determined that calculating the actual costs to charge the requestor is unduly burdensome and would interfere with the Library's operations. Therefore, Yakima Valley Libraries will charge the requestor for photocopies or electronically produced copies of public records in accordance with the charges set forth in [RCW 42.56.120](#), including any future amendments:

- No fee for inspection of records at Service Center.
- No fee for accessing or downloading records the agency routinely posts on its website, unless the requestor asks the agency for records to be provided through other means.
- 15 cents/page for photocopies or printed electronic copies;
- 10 cents/page for records scanned into electronic format;
- 5 cents for every four electronic files or attachments uploaded to an email, cloud storage service or other electronic delivery system; or
- 10 cents/per gigabyte for transmitting records electronically

B. *Customized Service Charge.* Yakima Valley Libraries may charge a customized service charge in cases where the Yakima Valley Libraries reasonably estimates that the request will require the use of information technology expertise to prepare data compilations or provide customized electronic access services in cases where such compilations and customized access services are not used by Yakima Valley Libraries for other purposes. Before imposing a customized service charge, Yakima Valley Libraries will notify a requestor of the anticipated customized service charge, explain why the customized service charge applies, describe the specific expertise required to respond to the request, estimate the cost of the customized service charge, and allow the requestor to amend his or her request in order to avoid or reduce the cost of a customized service charge.

C. *Deposit for Records.* Yakima Valley Libraries may require a deposit in an amount not to exceed 10 percent of the estimated cost of providing copies for a request, including customized service charges if applicable. If public records are made available on a partial or installment basis, the applicable fees shall be due and payable for each part of the request as it is provided.

D. *Costs for Electronic Records.* The cost of providing electronic copies of records on a digital storage media or device will be the actual cost. If electronically produced copies are being provided by email or through a public records portal, cost for the records will be in accordance with [RCW 42.56.120](#).

E. *Costs of Mailing.* The Yakima Valley Libraries may also charge actual costs of mailing, including the cost of a shipping container, and the actual cost of long-distance fax transmission.

F. *Payment.* Payment for the costs of records may be made by cash or check made payable to the Yakima Valley Libraries.

G. The Yakima Valley Libraries has the discretion to waive copying charges for photocopies or electronically produced copies of public records. The Yakima Valley Libraries may also enter into a contract, memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement to the charges authorized in [RCW 42.56.120](#), or in response to a voluminous or frequently occurring request.

### **Index of Public Records**

A. The Public Records Act requires all cities and public agencies to maintain and make available a current index of all public records.

B. [RCW 42.56.070\(4\)](#) provides that an agency need not maintain such an index if to do so would be unduly burdensome, but it must issue and publish a formal order specifying the reasons why and the extent to which compliance would be unduly burdensome or would interfere with agency operations.

C. Yakima Valley Libraries is comprised of numerous departments and library locations, many if not all of which, maintain separate databases and/or systems for the indexing of records and information. Because Yakima Valley Library has records which are diverse, complex and stored in multiple locations, it is unduly burdensome, if not physically impossible, to maintain a current index of all records.

D. Based upon the findings set forth in subsection C, and pursuant to [RCW 42.56.070\(4\)](#), the Yakima Valley Libraries Board of Trustees orders the following:

1. Yakima Valley Libraries is not required to maintain an all-inclusive index of public records due to the undue burden and near-impossibility of maintaining such an index.
2. The Yakima Valley Libraries will make available for inspection and/or copying all public records, maintained by Yakima Valley Libraries, except to the extent that such records are exempt from public disclosure.

### **Resolution #24-007**

#### **Policy and Records Index Exemption Revised & Adopted: 9/23/2024**

*Archive:*

*Policy Adopted: 4/29/2013*

*Resolution #13-008*

*Records Index Exemption: 4/29/2013*

*Resolution #13-009*

# **Yakima Valley Libraries**

## **PUBLIC RECORDS REQUESTS**

### **REQUESTING PUBLIC RECORDS**

Yakima Valley Libraries records are available for public inspection or duplication in accordance with RCW 42.56 Public Records Act. To request public records, complete the form on Page 2 and submit in person or email it to [publicrecords@yvl.org](mailto:publicrecords@yvl.org)

### **FULFILLMENT OF PUBLIC RECORDS REQUESTS**

YVL acknowledges receipt of records requests within five (5) business days of receipt. Acknowledgments include reasonable estimates of fulfillment timelines and any applicable copying charges.

### **INSPECTION**

Public records are available for inspection by appointment at the Yakima Valley Libraries Service Center, 102 N 3<sup>rd</sup> Street in Yakima, Monday through Friday, 9am-Noon and 1-4pm, excluding legal holidays or upon official closure of the facility. To schedule an appointment, email [publicrecords@yvl.org](mailto:publicrecords@yvl.org)

### **COPYING**

YVL adopted the state statutory default copying charges detailed in RCW 42.56.120, which are subject to change without written notice.

State default charges include:

- 15 cents/page for photocopies or printed copies of electronic records;
- 10 cents/page for records scanned into electronic format;
- 5 cents for every four electronic files or attachments uploaded to an email, cloud storage service, or other electronic delivery system;
- 10 cents/gigabyte for transmitting records electronically;
- The actual cost of the digital storage media/device, container used to mail the copies, and postage or delivery charges;
- The actual cost of custom printing or duplication of records such as photographs, blueprints or tape recordings;
- A customized service charge for requests that would require information technology expertise to prepare data or provide customized electronic access.

### **DENIAL OF PUBLIC RECORDS REQUESTS**

YVL reserves the right to deny requests for public records under provisions of the Public Records Act. If a document is exempt from disclosure, YVL will specify the reason for the exemption.

### **PRIVACY OF LIBRARY RECORDS**

YVL reserves the right to redact patron information based on RCW 42.56.310.

# Public Records Request Form

SUBMIT FORM IN WRITING OR BY EMAIL:

*Yakima Valley Libraries*

*Attn: Michael Huff, Public Records Officer*

*102 N 3<sup>rd</sup> Street Yakima, WA 98901*

Date Received:

Email: [publicrecords@yvl.org](mailto:publicrecords@yvl.org)

Phone: 509-575-3406

Any fees associated with the records request will be in accordance with the charges set forth in RCW 42.56.120, including any future amendments and must be paid before the records will be released. You will be notified if charges apply prior to your request being filled. It may take up to five business days to receive a response from YVL.

<b>Requester Name</b>	<b>Phone</b>	<b>Fax</b>
<b>Mailing Address</b>		
<b>Email Address</b>		
<b>I would like to:</b> <input type="checkbox"/> Inspect/view records at YVL <input type="checkbox"/> Have the records emailed to me if possible <input type="checkbox"/> Purchase hard copies		
<b>Request Made:</b> <input type="checkbox"/> In person <input type="checkbox"/> By phone <input type="checkbox"/> By email <input type="checkbox"/> By fax <input type="checkbox"/> In writing (not on this form or via email) (attach written request to this form)		<b>Date of Request</b>

Please provide a detailed description of the record(s) you are requesting, including date(s) if known. Be advised that YVL staff may contact you for clarification.

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Under RCW 42.56.070 (8), Washington State does not give agencies authority to give, sell or provide access to lists of individuals requested for commercial purposes. Such use may violate the rights of the individuals named and the undersigned may be liable for damage. If your request includes a list of individuals, the Public Records Officer will contact you for additional information.

For YVL Use Only			
<input type="checkbox"/> Date Record Released _____	Fee \$ _____	Deposit \$ _____	Receipt # _____
Record # _____	Description of Document(s) _____		(attach copy if possible)
<input type="checkbox"/> 5-Day Notice Sent Date _____	Est. Date of Release _____	Date Closed _____	
<input type="checkbox"/> Record Denied Reason _____			
<input type="checkbox"/> Record Withheld/Redacted in Part Reason _____			

Comments/Notes \_\_\_\_\_