

CENTRAL WHIDBEY ISLAND FIRE & RESCUE

**IN THE MATTER OF Public Records)
Policy and Procedure)**

Resolution # 07-02

THE FIRE COMMISSIONERS OF CENTRAL WHIDBEY ISLAND FIRE AND RESCUE
HAVE DETERMINED THAT:

WHEREAS, RCW 52.56 requires governmental agencies to adopt rules and procedures relating to maintenance and availability of public records; and,

WHEREAS, the District does maintain various types of records relating to operations and, therefore are within the requirements of RCW 52.56, so therefore;


BE IT RESOLVED by the Board of Fire Commissioners of Central Whidbey Island Fire and Rescue to hereby adopt the attached "Access to Public Record" rules and procedures.

ADOPTED this 12th day of April of 2007 by the Board of Fire Commissioners at a regular open public meeting; with the following Commissioners being present and voting:


Paul E. Messner, Commissioner


Cheryl J. Engle, Commissioner


Tom L. Smith, Commissioner

Attest: 
Joe Biller, District Secretary

ACCESS TO PUBLIC RECORDS-POLICY

1. **Public Record.** Public records of _____ County Fire Protection District No. _____ include any writing, film, video recording, disk, recording or electronic data compilation containing information relating to the conduct or performance of any governmental function prepared, owned, used or retained by the District except records and information exempt from public inspection and copying under chapter 42.56 RCW or other applicable statutes.
2. **Public Records Availability.** All public records of the District as defined above are available for public inspection and copying pursuant to these rules, except as otherwise provided by chapter 42.56 RCW and other applicable statutes.
3. **Location of Records.** The District's public records shall be maintained at the District headquarters station in the custody of a designated employee who shall be responsible for the implementation of these rules.
4. **Hours for Inspection and Copying.** Public records shall be available for inspection and copying during the normal office hours of the District, which are from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.
5. **Requests for Public Records.** In accordance with the provisions of chapter 42.56 RCW public records may be inspected and copied, or copies obtained by members of the public as follows:
 - 5.1 Requests shall be made in writing to the District records custodian and shall include the following information:
 - 5.1.1 The name and address of the person requesting the record.
 - 5.1.2 The time of day and calendar date on which the request is made.
 - 5.1.3 The nature of the request.
 - 5.1.4 If the matter requested is referenced in a current index maintained by the District, a reference to the requested record as it is described in such index.
 - 5.1.5 If the requested matter is not identifiable by reference to an index, an appropriate description of the record requested.
 - 5.2 In all cases in which a member of the public makes a request it shall be the obligation of the employee to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

6. **Fees.** No fee shall be charged for the inspection of public records. The following charges shall be imposed to reimburse the District for costs incurred in providing public records. In the event the District is requested to mail requested copies, an additional charge in the amount of the actual or estimated postage shall be made.
 - 6.1 **General Records.** With the exception of medical incident reports the District shall charge a fee of ~~54~~ 154 for providing a copy of the first page and 15 cents per page for providing copies of each additional page of a District record.
 - 6.2 **Medical Incident Reports.** In accordance with chapter 70.02 RCW the District shall charge a clerical fee for searching and handling requests for medical incident reports of \$21.00 for each report. In addition the District shall charge ninety one cents per page for the first 30 pages and sixty-nine cents per page for all additional pages of each report.
7. **Exemption from Public Inspection.**
 - 7.1 The District reserves the right to determine that a record requested is exempt in whole or in part from public inspection under chapter 42.56 RCW, chapter 70.02 RCW, HIPAA or other applicable statutes.
 - 7.2 In accordance with RCW 42.56.070 the District reserves the right to delete identifying details when it makes available any public record in any case where there is reason to believe that disclosure of details would be an invasion of personal privacy protected by chapter 42.56 RCW. The employee who deletes information shall fully justify the deletion in writing.
 - 7.3 All denials of requests for public records shall be accompanied by a written statement specifying the reason 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.
8. **Review of Denials.**
 - 8.1 Any person who objects to the denial of a request to inspect or copy a public record may petition for a prompt review of the decision by submitting a written request for review.
 - 8.2 Upon receipt of a written request for review of a decision denying inspection or copying of a public record, the employee to whom the request has been submitted shall refer it to _____ of the District. The _____ shall immediately consider the matter and either affirm or reverse the denial. The final decision shall be rendered to the individual who requested the record within a reasonable period of time after the denial of the request.

8.3 Administrative remedies shall not be considered exhausted until the District has responded to the request with its decision or until a period of five business days has elapsed since the receipt of the request by the District.

9. **Records Index.** The District has available to all persons a current index which provides identifying information as to the records maintained by the District.

CENTRAL WHIDBEY ISLAND FIRE & RESCUE #5

1164 Race Road, Coupeville, WA. 98239

Telephone 360.678-3602 or FAX 360.678-4615 email cwfire@cwfire.org

REQUEST FOR ACCESS TO PUBLIC RECORDS

Date of Request: _____

DESCRIPTION OF REQUESTED RECORD:

Meeting Minutes
Date _____

Resolution
Number: _____

District Policy
Number: _____

Other – Please be as specific as possible. We will be able to process your request faster if you clearly identify the record you are requesting and the purpose of that request. You may attach another sheet of paper if necessary:

I am requesting access to (*circle one*) 1) view 2) copy

Copy charges are fifteen cents per page and can be paid by check or cash.
Payment must be received in advance.

Pursuant to the provisions of RCW 42.17.260 (7), I certify that the record or information requested will not be used for commercial purposes.

Signature

You will receive a letter, telephone call, or fax informing you of our response to your request. Thank you for your cooperation.

For Official Use Only

Date Received: _____

Received by (initials): _____

Received by: Mail FAX Email Hand-delivered

Request Granted Date: _____

Document: Mailed FAXED Emailed Hand-delivered

Funds Received – Receipt #: _____

Record withheld (RCW 42.17.310 (1) – Explain exemption:

By (print name) _____

Signed _____