

## 2-2.29

### **PUBLIC RECORDS: ACCESS AND RETENTION**

(1) Access: Public records are available for public inspection, copying, and reproduction during the customary office hours of the university. Definitions, procedures for request and denial, cost of reproduction, active index, and exemptions which apply to records can be found in WAC 106-276-001 through WAC 106-276-199, RCW 42.17, RCW 42.56 and The Family Educational Rights and Privacy Act.

Requests for any such records shall be reviewed, approved, and processed by public records officer, who is the director of business services and contracts, or by his/her designee.

Central Washington University shall exempt content from records only when a valid exemption applies. Some examples of lawful exemption include the following:

(A) Personal information in any files maintained for students.

(B) Personal information in files maintained for employees, appointee or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(C) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(D) Specific intelligence information and specific investigative records, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(E) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, except as the complainant may authorize:

PROVIDED, that this subsection shall not apply to persons who file complaints with the public disclosure commission about any elected official or candidate for elective office:

PROVIDED, FURTHER, that all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(F) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(G) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(H) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosures would produce private gain and public loss.

(I) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(J) Records which are relevant to a controversy to which an agency is a party but for which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

Additional exemptions can be reviewed under RCW 42.17 and RCW 42.56.

(Also see WAC 106-172 for student records policy.)

**(2) Retention:** Destruction and disposition of public records, office files, electronic data, and memorandums shall be allowed only in accordance with retention, transfer, and destruction schedules which have been approved by the state records committee pursuant to chapter 40.14 RCW. Information regarding such schedules may be obtained by accessing the business services and contracts webpage (<http://www.cwu.edu/~bsc/>) or by contacting the office directly.

Public records and internal operational notes, memorandums and correspondence, although having only momentary significance, must be retained in a manner consistent with the direction and guidelines established by the university public records officer. (Also see RCW 40.10 and RCW 40.14.)

*[PAC: 09/05/07]*