

Formal Comments to the News Media Rulemaking Petition on Model PRA Rules

(last updated July 2, 2026 at 5:00 p.m.)

	Commenter	Comment
1.	Nicolas Duchastel de Montrouge	Thank you for the substantial work that has gone into the revised proposed amendments to Chapter 44-14 WAC. I especially appreciate the Office’s willingness to review public feedback and meaningfully strengthen several provisions in response to concerns raised during the comment process. As someone who was personally involved in Public Records Act litigation in Washington, I want to express my strong support for many of the revisions now reflected in the updated proposal. In particular, I appreciate the strengthened language and guidance regarding: • protection against unauthorized destruction or removal of records by employees and elected officials; • clearer obligations concerning records maintained on personal devices and personal accounts; • stronger expectations regarding timely responses, reasonable estimates, and installment production; • discouraging repetitive delay tactics and boilerplate extensions; • improved documentation and accountability concerning searches for responsive records; • reinforcement of the principle that the Public Records Act and related rules should be interpreted in favor of disclosure; and • training obligations for employees, volunteers, and elected officials concerning PRA responsibilities. Collectively, these revisions represent a meaningful improvement to transparency, accountability, and the practical administration of the Public Records Act. The revised rules more directly recognize many of the real-world challenges requestors encounter when seeking records from public agencies. At the same time, I respectfully believe that one major structural concern remains insufficiently addressed: the vulnerability of public records officers and agency staff to political pressure or retaliation from elected officials and senior leadership. In practice, many of the employees responsible for PRA compliance are career staff whose continued employment depends upon the same officials whose communications or conduct may be the subject of records requests. Even with improved procedural rules, the system still relies heavily on the personal courage and independence of individual staff members operating within inherently unequal power relationships.

		The revised rules appropriately discourage interference and emphasize preservation obligations, but they do not yet establish meaningful protections or consequences when elected officials knowingly pressure staff to delay, narrow, obstruct, or manipulate responses to records requests. I recognize that some of these issues may extend beyond the scope of administrative rulemaking and may require legislative action. For that reason, I respectfully encourage the Attorney General’s Office to consider preparing or supporting a report to the Legislature identifying remaining structural weaknesses in Washington’s public records framework and recommending possible statutory reforms. Potential areas for legislative consideration could include: • explicit protections for public records officers and agency staff against retaliation or political interference; • mandatory reporting and public disclosure of substantiated interference with PRA compliance; • ethics or misconduct provisions applicable to elected officials who knowingly obstruct compliance with the Public Records Act; • enhanced preservation and audit requirements for records maintained on personal devices or accounts; and • additional remedies or expedited review procedures in situations where delays may affect pending elections or matters of significant public importance. Washington has long been recognized as a national leader in open government and public transparency. These revised model rules represent important progress and demonstrate serious engagement by the Attorney General’s Office with the realities of modern records administration. I hope this work can continue through future legislative and policy efforts aimed at ensuring that transparency does not depend solely on the willingness of individual employees to resist political pressure. Thank you again for your work on these revisions and for continuing to invite public participation in this process.
2.	Alexander Jensen Clark County Sheriff’s Office Public Disclosure Unit	I would like to comment specifically on the proposed change to WAC 44-14-040, section 8: <i>“The requestor may make a subsequent request for the same or almost identical records, which may be processed by the agency as a new request. In evaluating the time to process the new request, the agency will consider how recently the prior request was closed and the number of assembled unproduced records from the prior request.”</i> I believe this poses a problem because it arguably renders the threat of abandonment powerless. The PRA does not place many requirements on a requester, but it does state that requesters have a statutory obligation to inspect the records they

		asked for. By stating that an agency is supposed to basically pick a request up from where it was left off pre-abandonment, this takes away any consequences for a requester who does not follow their obligations. I also believe that it is unfair to requesters who are regularly fulfilling their obligations, as it allows those who do not to jump the line ahead of those who are. Abandonment is meant to be a tool used to ensure compliance with the PRA on the requester's side and to help agencies manage workloads. In my opinion, if a request is abandoned, any follow-up requests should be considered a new request and subject to new analysis without credit for past work. This would encourage requesters to follow their own obligations. If an agency decides to consider that work, it should be entirely up to them and their own policies, not yet another mandatory obligation that can interfere with normal operations.
3.	Rachel Wilson Records Consultant Washington State Secretary of State	To Whom it May Concern: To make the Public Records Act (PRA) Model Rules more concise, easy to understand, and effective at building trust, the following revisions could be implemented: 1. Enhancing Conciseness The current 23-page document is detailed but often repetitive, with many "Notes" sections containing legal citations that may overwhelm a non-lawyer. • Consolidate Redundant Sections: Several sections discuss the "5-day initial response" and "reasonable estimates". These could be merged into a single, step-by-step "Timeline of Your Request" section. • Use Checklists for Standard Communications: Instead of descriptive paragraphs for "closing letters," provide a simple checklist of required elements, such as the reason for closing, the date closed, and the specific date the one-year statute of limitations begins. • Move Legal Citations to an Appendix: To keep the primary rules focused on procedure, move the extensive footnotes and case law references to a separate "Legal Authority Appendix". 2. Making Rules Easy to Understand The sources use specific legal terms like "identifiable records" and "fair notice" which can be ambiguous for the public. • Plain Language Definitions: Replace or supplement legal terms with plain language. For example, explain that an "identifiable record" simply means a document that staff can reasonably locate without having to guess the requestor's intent. • Visual Aid for Process Triage: The rules mention "triaging" requests into "simple" and "complex" tracks. A visual flowchart showing how a request moves from "simple" (endeavoring to produce within five days) to "complex" (requiring installments) would improve clarity.

		• Simplified Fee Schedule: While the current fee schedule is detailed, it could be summarized into a "Pay-at-a-Glance" table that clearly highlights that inspection and web-posted records are always free. 3. Building Trust Between Agencies and the Public Trust is often eroded by a lack of communication or the perception of stalling. The sources already suggest several trust-building measures that could be made more prominent or mandatory. • Mandatory Explanations for Time Estimates: Currently, the rules state that providing a brief explanation for a time estimate is "not required" but "encouraged" to avoid litigation. Revising this to require a brief explanation (e.g., "This will take 30 days because we must review 500 emails for privacy exemptions") would reduce the perception of arbitrary delays. • Proactive Website Posting: Agencies are "strongly encouraged" to post commonly requested records online to save resources. Making this a standardized "Digital First" policy shows the public that the agency is not trying to hide information behind a formal request process. • Standardized "Follow-Up" Window: The rules suggest that closing letters should state that a requestor can ask follow-up questions within a "reasonable time frame". Defining a specific window (e.g., "You have 10 days to ask follow-up questions before this file is officially closed") provides clear expectations and shows the agency is open to dialogue. • Transparency on Search Efforts: If no records are found, the rules suggest an agency explain "in at least general terms" the places searched. Expanding this to include a "Search Summary"—listing which departments were surveyed and whether personal devices were checked would reassure the public that a "diligent" and "objectively reasonable search" was actually performed.
4.	Anthony Hutchinson	Non-binding rules are virtually meaningless, public officials can ignore them and continue the status quo. When public officials violate the law the only recourse is a costly and lengthy court battle that most individuals are not able to engage in. When suits are brought the public pays for the defense. Without meaningful sanctions against individuals responsible for misconduct public officials have little incentive to abide by the law. These model rules should be enacted into law along with personal disincentives for public officials to violate them (fines and/or jail). Without a state agency conducting proactive oversight and accepting complaints of misconduct only the well off will be able to compel compliance. I have a record request (P171582-021824) open with the Seattle Police Department since 2/18/2024. While the first installment has been produced and I (coincidentally) received a request for clarification on the second installment today, record requests should not languish for years. I have filed complaints regarding this with the Seattle Office of Police Accountability that handles misconduct by SPD employees. They ignored the complaint, likely because the record request was for OPA records and is handled by the office the complaint was submitted to. I also submitted a complaint to the Office of Inspector General for Public Safety that has limited oversight over OPA, and they also ignored the complaint. The city council and multiple mayors offices have also ignored complaints about the failure for SPD/OPA to respond to

		record requests in a timely fashion. This is not the only public records act request I have submitted that has been handled in this manner. The state needs to establish an office that handles public record act violations with the authority to compel compliance in a timely and effective manner without cost to the requestor and is cost effective (no year long court battle). This office should be permitted to forcibly acquire the necessary records to fulfil the response and the individuals who failed to produce them, including through failure to adequately staff disclosure officer staff, should be responsible for the costs. If a city council does not provide enough staff to handle requests in a timely manner they should be responsible for the costs incurred by the state in forcing compliance. The state has been far too lenient with respect to violations of the public records act. This is because the law relies on court action to enforce compliance. This has been demonstrated to be an ineffective measure, with only the most egregious violations against well funded organizations or individuals with the ability to engage in a court battle with well funded public agencies. I believe the people of Washington expect our public officials to operate with transparency. They currently do no, despite the Public Records Act, because the cost of violation is less than the cost of compliance. The state needs to adjust that priority to ensure the cost of violation always exceeds the cost of compliance.
5.	Russell Baird Tewksbury	I serve as the volunteer Chair of the Whatcom County Civil Service Commission and am also a member of the County's Business and Commerce Advisory Committee (Internet Technology Sector). I am submitting these comments strictly in my personal capacity as a resident of Washington State. These views are my own and do not represent the official positions of the bodies on which I serve. In this comment, I highlight two systemic barriers that hinder government transparency across Washington. First, the continued reliance on antiquated and fragmented records management systems that obstruct information discovery, drive up operational expenses, and exacerbate cybersecurity vulnerabilities. Second, the mandatory requirement to use legacy print media for public notice, which fails to reach the vast majority of the public. I believe that by updating the Model Rules to embrace standards of proactive transparency, your office can provide a roadmap for more efficient government service and fulfill your stated goal to "reduce barriers to information and be responsive to the public". The core issue in records management lies in the <i>Filed Proposed Revised Rules</i>, specifically WAC 44-14-030(2) opt-out template, which fundamentally undermines the affirmative duty to index records established in RCW 42.56.070(3) and (5). While RCW 42.56.070(4) allows an agency to opt out of indexing if it is 'unduly burdensome,' the statute requires the agency to issue a formal order specifying the reasons for this decision. Currently, the Attorney General's proposed WAC 44-14-030(2) treats this requirement as a mere procedural formality, failing to hold agencies to any substantive standard

	of proof. Consequently, this 'unduly burdensome' exception has been transformed from a narrow, fact-specific provision into a permanent, multi-decade exemption for opacity. Across Washington, it has become standard practice for agencies to normalize the use of <u>RCW 42.56.070(4)</u> to bypass the requirement for a unified, centralized index. My review of municipal public records policies across diverse jurisdictions reveals a consistent, boilerplate reliance on this provision. Rather than serving as a narrow, fact-specific exception, RCW 42.56.070(4) has been transformed into a de facto exemption, with agencies opting out of unified indexing as a matter of routine policy rather than genuine necessity. Whatcom County, for instance, used the predecessor to this statute (RCW 42.17.260) as the underlying justification to enact <u>Resolution 2005-078</u> and <u>County Code 1.32.100(A)</u>—a move that has codified operational opacity at the local level for decades, mirroring a systemic failure to enforce the affirmative duty to index that has persisted since the Public Records Act’s inception in 1972. Crucially, because the current (and proposed) rules lack a rigorous evidentiary requirement, a mere claim of burden is all it takes to allow agencies to default to fragmented, siloed record-keeping systems. These systems are not merely inefficient; they are objectively more expensive to maintain, significantly harder to secure, and operationally inferior to modern, centralized data management standards. Maintaining such infrastructure is a deliberate policy choice that prioritizes administrative convenience over public access. This choice reveals a mindset that views maintaining public records as a burden rather than a vital responsibility of an open government. Agencies often defend fragmented, siloed IT systems as a necessary reaction to budgetary or technical constraints. However, this defense actively perpetuates the systemic bureaucratic inertia that drives these operational choices in the first place. These choices are active decisions to resist modernization and maintain the status quo. For example, as shown in the attached screenshot, <u>the disclaimer page for Whatcom County’s "Digital Research Room"</u>—the primary web portal for the County’s “Official Records index”—instructs the public that the site "is best viewed with Internet Explorer 11 or higher." <u>Microsoft officially retired the Internet Explorer desktop application in June 2022</u>; the software is entirely defunct and receives no security support. By requiring the public to accept terms that rely on obsolete, vulnerable infrastructure, the County is not merely failing to keep pace with technology; it is actively prioritizing legacy systems over public access, transparency, and essential cybersecurity standards. To correct these problems, I respectfully suggest the Model Rules advocate for the legislative repeal of the 'unduly burdensome' exception in RCW 42.56.070(4). This provision has effectively nullified the affirmative duty to index records established in RCW 42.56.070(3) and (5). If an exception must exist, the Model Rules must, at minimum, replace the current 'formal order' process—which is merely a self-serving procedural formality—with a rigorous, substantive burden of proof. Agencies should be required to demonstrate that they have exhausted all modern, industry-standard data governance options before attempting to claim that indexing public records is a burden.
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	To achieve the transparency goals the AGO has outlined, agencies must demonstrate that their systems are architected to facilitate public search. I respectfully suggest the development of a mandatory 'Transparency Roadmap.' This would require agencies to document high-level data categories and system classifications to guide the transition toward centralized, secure, cloud-based, AI-assisted indexing, ensuring that public records are accessible by design rather than kept hidden by default. This systemic resistance to transparency is mirrored by a refusal to abandon outdated, analog-era requirements. On the matter of public notice, I believe that the state-mandated requirement to use legacy media (legal newspapers) as the primary method of notification is fundamentally inconsistent with the reach required for effective public engagement. This requirement is rooted in legislation dating back to <u>1893 (1893 c 127 s 27)</u>. Relying on a 19th-century communication model to satisfy 21st-century transparency requirements is inherently inadequate. Statutes such as <u>RCW 65.16.010</u> force public entities to publish notices where the public is unlikely to look, or where they might be required to pay to access the information. Because many of these for-profit media outlets restrict access using digital paywalls and suffer from severely declining print circulation, they are inherently incapable of providing meaningful notice. Consequently, the information is effectively invisible to the vast majority of the public. While I understand that public entities must follow current law, RCW 65.16.010 acts as a barrier to the transparency the Public Records Act was intended to foster. I believe it would be in the public interest for your office to work with the Governor and the Legislature to modernize RCW 65.16 and related statutes to reflect contemporary communication realities. In the interim, establishing a Digital Equivalent Standard as a best practice within the Model Rules would be a significant step forward. This would encourage public entities to provide concurrent, high-visibility digital postings on government websites with automated subscription services, ensuring that information is easily accessible to the public. In summary, shifting the standard of transparency from analog-era compliance to modern, proactive accessibility is an essential evolution. By prioritizing unified indexing systems and Digital Equivalent public notice, public entities across the state can reduce administrative friction and fulfill the true spirit of the Public Records Act. I have attached two articles I authored which further detail these issues and provide context for these recommendations; both were published in Cascadia Daily News. I hope these observations are helpful as you work to refine these rules. Thank you for your time and for the important work your office is doing.
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6.	City of Moses Lake, Washington	 Model Rules Public Comment- Moses La
7.	Dr. Lance Gibbon Superintendent Hood Canal School District	To Whom It May Concern: I am writing on behalf of Hood Canal School District regarding the proposed revisions to the Public Records Act model rules (WAC 44-14). Hood Canal School District is a small rural school district serving approximately 330 students in the heart of the Skokomish Indian Reservation. Nearly 80 percent of our students qualify for free or reduced-price meals. Like many small districts across Washington, we operate with extremely limited administrative staffing. Most employees wear multiple hats, and every hour devoted to administrative compliance is an hour diverted from supporting students and families. I strongly oppose the proposed revisions and urge the Attorney General's Office not to adopt them in their current form. While I support government transparency and the public's right to access records, these proposed changes create significant new administrative obligations without providing additional resources, funding, or recognition of the realities facing small public agencies. The cumulative impact of these requirements would be substantial and would ultimately reduce the resources available to serve students. The proposed requirement to transfer or copy records from personal devices or personal accounts within five business days is particularly problematic. In modern school districts, much of our work occurs through cloud-based systems such as Google Workspace. Records exist within district-controlled platforms regardless of whether an employee accesses them from a district device or a personal device. The proposal appears to be based on an outdated understanding of how cloud-based systems function. For many records, the device used to access the information is irrelevant because the records themselves already reside in district-managed systems. In addition, the proposal would require extensive staff training, monitoring, and compliance efforts. For a district of our size, there is no separate compliance office, legal department, or records management staff available to absorb these new responsibilities. The burden falls on the same small group of employees who are already responsible for student services, human resources, finance, transportation, safety, and daily school operations. The proposed changes related to request intake and routing are equally concerning. Allowing requests to be submitted through a wider range of channels would require us to train numerous employees to recognize and properly route public records requests. Small districts do not have surplus staff available to designate for these responsibilities. Expanding the

		number of employees who must be trained and monitored creates significant risk and expense without providing meaningful benefit to the public. The proposed requirements for request triage, expedited handling of certain requests, individualized evaluation of request urgency, additional communications with requestors, and more detailed closure procedures all add layers of administrative work. While each requirement may appear modest in isolation, together they create a significant unfunded mandate. For larger districts with dedicated public records staff, these requirements may be manageable. For a district like ours, they are not. Most concerning is the practical impact on students. Every additional hour spent processing, documenting, tracking, communicating, calendaring, and managing public records requests is an hour that cannot be spent supporting student learning, improving attendance, addressing behavioral and mental health needs, engaging families, or providing direct educational services. Our district serves a high-needs community. We should not be forced to choose between complying with increasingly complex administrative requirements and providing services to children. It is also important to recognize that a substantial portion of the public records requests our district receives are not from citizens seeking information in the public interest. Many requests come from commercial entities seeking information for marketing, solicitation, or business purposes. The proposed rules would require taxpayers to bear the cost of significant additional administrative work, often for the benefit of private commercial interests rather than public accountability. The provisions related to installment production, third-party notification, and expanded closure requirements would further increase costs and staff time. Small districts simply do not have the capacity to absorb these responsibilities without negatively impacting educational services. Transparency remains an important public value. However, transparency requirements must be balanced against the operational realities of small public agencies and the obligation to use limited public resources responsibly. These proposed rules move that balance too far toward administrative process and away from the core mission of public schools. I respectfully urge the Attorney General's Office to reject these proposed revisions or, at a minimum, significantly revise them to account for the realities faced by small school districts and other small public agencies. Any changes should include consideration of agency size, staffing levels, available resources, and the educational impact of diverting limited personnel away from student services. The children we serve should not bear the cost of additional unfunded administrative mandates. Thank you for your consideration.
8.	John Hannah Superintendent Morton School District	I am writing to express my strong opposition to the proposed revisions to WAC 44-14, which governs the Public Records Act model rules. As a public school administrator, I believe these proposed changes would impose substantial new administrative burdens on school districts and other local governments without providing any corresponding funding, staffing, or operational

	support. The cumulative effect of these changes is the creation of a significant unfunded mandate that will divert already scarce to nonexistent public resources away from the primary mission of serving students. Washington school districts are currently facing ongoing financial challenges, declining enrollment in many regions, rising costs, staffing shortages, and increasing regulatory requirements. Many districts have recently reduced staffing and programs due to insufficient state funding. Against this backdrop, these proposed revisions would require districts to absorb additional compliance responsibilities without any dedicated revenue source or implementation support. Several of the proposed changes are particularly concerning. First, the proposed requirement to maintain records on personal devices and accounts would impose significant operational and compliance burdens. School districts would be expected to develop additional policies, training programs, monitoring systems, and compliance procedures related to employee personal devices. This is not simply a records issue; it is an ongoing personnel, technology, and administrative responsibility. The proposal provides no funding, staffing, or technological resources to support implementation. Second, removing language that allows agencies to require requests to be submitted to a designated Public Records Officer would create confusion and increase legal exposure. Centralized intake procedures exist for a reason: they promote consistency, accountability, and timely responses. Requiring districts to recognize and route requests originating from multiple locations and employees substantially increases the likelihood of inadvertent errors while creating additional training obligations across the organization. This change appears to create additional risk for agencies without providing any meaningful operational benefit. Third, the proposed front-end processing requirements, expedited review expectations, and individualized five-day response obligations would fundamentally alter how many districts process requests. While these changes may appear modest individually, collectively they require new workflows, additional documentation, more communication, and increased administrative oversight. Again, no resources are provided to support these expectations. Fourth, the enhanced third-party notice, installment production, and closure letter requirements add layers of administrative work that must be completed by existing staff. These tasks require time, coordination, legal review, documentation, and recordkeeping. The proposals recognize the work that must be done but provide no mechanism to fund it. Perhaps most importantly, these changes appear to focus almost exclusively on increasing procedural obligations for agencies while offering little consideration for the operational realities faced by public schools and other local governments. Public agencies already have legal obligations under the Public Records Act and are committed to
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		transparency and public access. The question policymakers should be asking is whether these revisions improve public service or simply increase administrative workload, compliance risk, and potential litigation. From my perspective, the proposed changes do not meaningfully improve transparency to justify their cost. Instead, they create additional procedural requirements that will consume staff time and public resources that could otherwise be devoted to serving students, families, and communities. These proposed revisions also appear inconsistent with Washington's long-standing principle that the state should fund the obligations it imposes on public schools. School districts are creatures of the state and operate within funding structures established by the Legislature. When the state creates new duties, compliance requirements, documentation standards, training obligations, notice requirements, and administrative processes, those requirements carry real costs in employee time, technology, legal review, records management, and operational oversight. Yet these proposed rules provide no additional funding, staffing support, implementation assistance, or reimbursement mechanism. The practical effect is to shift the cost of state-imposed requirements directly onto local school districts, forcing districts to divert limited resources from student learning and educational services to meet expanding regulatory obligations. The proposal also raises a fundamental policy question: Who is intended to benefit from these changes? Public agencies, including school districts, already operate under the requirements of the Public Records Act and remain committed to transparency and public access. Yet many of the proposed revisions appear focused on creating additional procedural requirements, shortening timelines, expanding administrative duties, increasing documentation obligations, and broadening potential points of agency liability. The practical effect is not a meaningful increase in public transparency or access to records, but rather an increase in administrative complexity, compliance risk, and legal exposure. As I review these proposed changes, I struggle to identify how they materially improve service to the average citizen seeking public records. Instead, the proposal appears to place greater emphasis on creating additional procedural standards against which agencies may be judged, challenged, or litigated, raising a legitimate concern as to whether the primary beneficiaries are the public at large or a much narrower group of stakeholders who routinely engage in Public Records Act disputes and litigation. Public policy should ultimately be evaluated by whether it advances the public good, and it remains unclear how these additional burdens, costs, and risks imposed on public agencies will produce a corresponding benefit for the communities and taxpayers those agencies serve. I respectfully urge the Attorney General's Office to reconsider these proposed revisions and work collaboratively with school districts, local governments, and other affected agencies to develop solutions that promote transparency without imposing unnecessary administrative burdens and costs on public institutions.
9.	John H. Belcher Superintendent	To Whom It May Concern: I appreciate the opportunity to comment on the proposed revisions to the Public Records Act Model Rules.

	Cle Elum Roslyn Schools	As a Washington public school superintendent, I strongly support the principles of transparency and public access to government records. Public trust is strengthened when agencies are responsive, accountable, and open. However, I am concerned that several of the proposed changes, while well-intentioned, will significantly increase the administrative burden placed on school districts without providing a corresponding increase in public benefit. Public school districts are already dedicating substantial staff time and resources to responding to public records requests. In many cases, requests involve extensive searches, legal review, redaction, employee notification, communication with requestors, and records management activities. These responsibilities often fall on staff who are simultaneously supporting students, families, and day-to-day district operations. In recent years, districts have experienced an increase in the volume, breadth, and complexity of requests. We are now seeing requests generated through automated tools and artificial intelligence that can seek vast quantities of information with little effort on the part of the requestor. We also continue to encounter requests that appear designed less to obtain meaningful information and more to create administrative workload, support litigation strategies, or generate financial settlements through technical compliance challenges. Against this backdrop, I am concerned that several proposed revisions would further increase administrative obligations by: • Expanding intake and routing expectations beyond designated points of contact. • Creating additional timelines and documentation requirements. • Requiring more individualized processing and communication for time-sensitive requests. • Increasing notice and closure requirements. • Expanding installment production obligations. • Creating additional compliance responsibilities regarding records maintained on personal devices or accounts. While each change may appear modest when viewed independently, collectively they represent a significant increase in workload, training, monitoring, documentation, and compliance responsibilities for local agencies. Importantly, these costs are not absorbed by an abstract government entity. They are absorbed by public schools and ultimately by taxpayers. Every additional hour spent managing procedural requirements is an hour not spent supporting students, staff, instruction, safety, or educational services. I respectfully encourage the Attorney General's Office to carefully consider whether the proposed changes strike the appropriate balance between public access and operational feasibility. Transparency is essential, but so is recognizing the limited administrative capacity of local governments and school districts. I urge caution regarding any changes that: • Increase procedural complexity. • Shorten timelines or create additional response obligations. • Expand agency responsibilities without corresponding resources. • Make compliance more difficult without materially improving public access to records.
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10.	Dr. Susan Leach Superintendent Riverview School District	 Written Comment on Proposed Chang
11.	Bob Dansen General Manager Olympic View Water and Sewer District Edmonds, WA	 PRA Comment 6.1.2026.docx
12.	Evan Caldwell Director of Communications and Public Records Officer Stanwood-Camano School District	I am writing to provide comment on the proposed changes to the Public Records Act model rules (WAC 44-14). I serve as the sole Public Records Officer for the Stanwood-Camano School District, and I am concerned that many of the proposed changes will create additional administrative burdens for school districts without addressing the broader challenges public agencies already face in responding to increasingly complex public records requests. I fully support the principles of transparency and public access to government records. However, the reality for many school districts is that public records work is managed by a single employee who balances these responsibilities alongside numerous other duties. The proposed changes appear to add additional procedural requirements, documentation expectations, timelines, and technical steps that may be manageable for large agencies with dedicated legal and records teams, but represent a significant burden for smaller agencies with limited staff. My greatest concern is that these changes create additional layers of specificity in the process rather than addressing the underlying challenges facing public records officers today. We are already seeing a growing number of requests that are exceptionally broad, complicated, and time-consuming to process. Agencies are legally obligated to search for, review, redact, and produce these records, often requiring substantial staff time and coordination across multiple departments. Adding additional procedural requirements around intake, prioritization, communications, installment tracking, third-party notices, and closure documentation does not reduce that burden. Instead, it creates more opportunities for agencies to unintentionally make a procedural error despite making good-faith efforts to comply with the law. In particular, many of the proposed changes appear to increase liability by creating more specific requirements that

		agencies must meet while providing no additional resources or practical tools to help agencies fulfill those obligations. The result may be that public records officers spend more time documenting the process of compliance rather than actually locating, reviewing, and producing records. I respectfully ask the Attorney General's Office to consider the operational realities. Any changes to the model rules should balance the public's right to access records with the practical limitations of agencies that are already managing increasingly complex requests with limited personnel and resources.
13.	Diane Hodge Finance Director Pullman Public Schools	I appreciate the opportunity to provide feedback on the Washington Attorney General's Office proposed revisions to the Public Records Act Model Rules and would encourage consideration of the significant operational and financial impacts these requirements have on school districts across the state. Based on the proposed revisions, my concern is that the discussion continues to focus on processing mechanics rather than addressing the real problem facing school districts: the significant unfunded burden of responding to increasingly broad and often commercially motivated public records requests. The Public Records Act serves an important purpose in promoting transparency and accountability, but the current system often diverts limited educational resources away from students and classrooms. Many school districts do not have a dedicated Public Records Officer. Instead, requests are handled by finance staff, human resources personnel, executive assistants, administrators, and technology staff who already have full-time responsibilities supporting district operations. Each request may require searching multiple email systems, reviewing records for exemptions, coordinating with legal counsel, and preparing responsive documents. Even routine requests can consume many staff hours, while large requests can require dozens or hundreds of hours. A significant portion of requests received by school districts are not from community members seeking information about district operations. Rather, they come from vendors and data-mining companies seeking business opportunities or compiling information for commercial purposes. While districts are required to respond regardless of the requestor's motive in most circumstances, these requests create substantial administrative costs that are shouldered entirely by taxpayers and educational programs. Instead of expanding procedural requirements, policymakers should consider reforms that focus on: • Reducing the burden of commercial and vendor-driven requests that provide little public benefit. • Allowing agencies to recover the actual staff costs associated with extensive searches, redaction, and production of records. • Creating streamlined procedures for repetitive or mass requests submitted by the same requestor. • Expanding authority for agencies to deny or limit requests that create unreasonable interference with essential governmental functions.

		Clarifying standards for requests involving employee personal devices and accounts, which can be extraordinarily time-consuming and legally complex. The focus of any reform should be balancing transparency with the reality that school districts exist to educate students, not to serve as unfunded records repositories for commercial interests. Every hour spent by district staff processing unnecessary or overly broad requests is an hour not spent supporting students, employees, financial stewardship, school safety, or educational programs. The proposed rules appropriately acknowledge that agencies must prevent "excessive interference" with their other essential functions and recognize that many agencies do not have full-time public records staff. However, the Legislature and Attorney General should go further by addressing the underlying workload and cost burdens imposed on local governments and school districts. Without meaningful reform, additional procedural requirements will continue to increase administrative costs while providing little additional benefit to the public.
14.	Gus Wessel Executive Director of Safety, Security and Risk Management Puyallup School District	I am writing to address the proposed updates to the Public Records Act Model Rules. Our District has experienced a drastic increase in public records requests. This trend seems to be sweeping the state and is requiring more than one full-time staff person to accommodate. Any changes which require more administrative processes will be crippling to our school district. We are absolutely in support of the intent of the PRA and support transparency with our community. Unless the AGO is able to provide more resources and advocate for staffing allocations to the schools in Washington, I must state unequivocally these changes will be unduly burdensome and impact the service to the citizens it is intended to serve.
15.	Dr. Concie Pedroza Superintendent Tukwila School District	From the perspective of a small school district with a single employee responsible for managing all Public Records Act requests, these proposed changes would create a significant increase in administrative workload without providing additional resources to support compliance. The requirements related to faster response timelines, enhanced intake and routing responsibilities, more formalized third-party notifications, expanded installment productions, and mandatory closure communications would substantially increase staff time devoted to PRA administration. Also, the expectation that employees transfer records from personal devices and accounts within a prescribed timeframe would require extensive district wide training, monitoring, and policy implementation. We encourage consideration of the cumulative operational burden these changes would place on small and mid-sized school districts with limited staffing.
16.	David Knechtel Accounting Manager Kent School District	I would advocate for the following changes, which I hear from WASBO and WASA, that you are considering. From my almost 30 years in work related to public education and dealing with public records laws in that capacity, I feel they would be important to the spirit of public disclosure, and actually, probably help to manage our workload or to develop more trust with our constituency: ✓ More Individualized Responses: Districts may need to spend more time communicating with requestors, prioritizing records and explaining response timelines

		✓ Formal Third-Party Notices: Districts may face additional notification and documentation requirements when employee records are requested ✓ Release of Records in Phases: Districts may need to provide records on a partial (or installment) basis, as they become available ✓ More Demanding Closure Process: Detailed closure notices and documentation may be required when requests are completed or closed ✓ Broader Request Intake: Public records requests may arrive through more channels, requiring additional staff training and coordination ✓ Prioritizing Simple Requests First: Triage expectations to address requests based on complexity (compared to chronologically) for faster processing and prioritization of certain requests I disagree with the following change being considered: • Personal Device & Account Capture: Requires district-related records on personal devices and accounts to be transferred/copied to district systems within five business days or as soon as practicable (in unusual circumstances). It isn't practical to consider this change. I think transferring any information should only be considered, if requested. I base this opinion on the fact that I text my supervisor when I am sick or late, to get permission for staying home, etc. That seems impractical to go through such protocol for such insignificant information.
17.	Travis Nelson Regulatory Affairs Manager WA PUD Association	I am inquiring to clarify the amending language in WSR-11042 to supplement the original CR 102 for this rulemaking effort is to add the AI and Bot considerations along with the court decisions in Cousins v. Dept. of Corrections, 3 Wn.3d 19, 546 P.3d 415 (2024) and O'Dea v. City of Tacoma, 19 Wn. App.2d 67, 493 P.3d 1245 (2021).
18.	Claire Olson Executive Director of Business Nine Mile Falls School District	As the Executive Director of Business for a rural public school district serving approximately 1,400 students, I appreciate the importance of transparency and public access to records. School districts are committed to complying with the Public Records Act and providing responsive service to our communities. However, I have concerns regarding several of the proposed changes and the practical impact they may have on school districts that operate with limited administrative staffing and resources. My primary concern relates to the proposed requirement that public records created or received on personal devices or personal accounts be transferred to district systems within five business days. While districts can establish policies and provide training, there is no practical way for a district to monitor or verify every instance in which an employee may use a personal phone, email account, text message, or application for district-related communication. Additionally, many districts do not require employees to use personal devices for district business. Employees may nevertheless choose to do so without the district's knowledge, creating an additional layer of compliance risk. The proposed rule appears to place responsibility on districts for records that may exist on devices or accounts over which the

		district has no control and may not even know exist. Compliance would require ongoing training, reminders, monitoring, and follow-up efforts, creating significant administrative burden without additional resources or guidance. I am also concerned about the proposed changes related to request intake and routing. School districts have worked to centralize Public Records Act requests through designated Public Records Officers in order to ensure timely, consistent, and legally compliant responses. Expanding the potential points of intake increases the likelihood that a request may not be immediately recognized as a public records request, particularly by employees whose primary responsibilities are unrelated to records management. In a school district setting, requests could be received by reception staff, building secretaries, principals, coaches, teachers, payroll staff, human resources staff, or department administrators. As the number of potential intake points increases, so does the need for districtwide training and ongoing reminders. It also increases the risk that a request may be overlooked, delayed, or inadvertently duplicated as multiple employees attempt to respond independently. As a district of our size, most staff wear multiple hats and perform a variety of responsibilities throughout the day. Public Records Act compliance is typically assigned as one responsibility among many, rather than being the sole focus of a dedicated records officer or records management team. The proposed changes appear to assume a level of staffing capacity that many small and mid-sized school districts simply do not have. The costs associated with these changes are not technology costs or copying costs. Rather, they are ongoing personnel costs associated with training, communication, compliance monitoring, request tracking, records collection, and documentation. In practical terms, these proposed requirements function as an unfunded mandate, requiring districts to absorb additional administrative responsibilities without corresponding resources or funding support. These responsibilities ultimately divert limited administrative resources away from the primary mission of supporting students, staff, and educational programs. I respectfully request that the Attorney General's Office consider the operational realities faced by school districts and other local governments with limited staffing resources. Additional flexibility, clarification, or implementation guidance would help agencies remain compliant while recognizing the practical challenges associated with these proposed requirements.
19.	Jayme Taylor Executive Director of Communications Lake Stevens School District	I appreciate the opportunity to provide comments regarding the proposed revisions to the Public Records Act model rules. As a Public Records Officer, I fully support the intent of the Public Records Act and the public's right to access government records. Transparency is essential to maintaining public trust, and our district works diligently to respond to requests promptly and professionally. My concern is that many of the proposed changes, while well-intentioned, will create significant additional administrative burdens for school districts without providing the resources necessary to implement them. Public records compliance is no longer limited to a records officer reviewing and producing documents. It requires

	coordination across multiple departments, including human resources, business services, facilities, transportation, technology, communications, and school administration. Every new requirement creates additional steps, additional documentation, additional communication, and additional training responsibilities. During the current school year, our district has received 118 public records requests and currently has 11 open requests. To fulfill those requests, district staff have devoted approximately 670 hours to records-related work. Based on employee compensation, this represents more than \$68,000 in personnel costs alone. This figure does not include legal fees, records management systems, technology costs, or the time spent by school and department staff locating, reviewing, and organizing responsive records. Several of the proposed changes would further increase these demands. The proposed requirement to transfer records from personal devices and personal accounts within a specified timeframe would require extensive staff training and ongoing compliance monitoring across an entire school district. Likewise, changes that make it more difficult to centralize records requests would require broader training for employees who are not records professionals but may receive requests in the course of their daily work. The proposals related to expedited processing, additional communication requirements, installment production, third-party notifications, and expanded closure procedures all require additional staff time and administrative effort. While each individual requirement may seem reasonable, collectively they create a substantial operational impact. As public schools continue to face increasing demands on limited resources, it is important to remember that every hour devoted to compliance activities is an hour that cannot be spent directly supporting students. Behind every public records request are real people whose time is being redirected—administrators working on school improvement efforts, staff supporting families, educators addressing student needs, and teams focused on safety, mental health, and academic achievement. School districts will always meet their obligations under the Public Records Act, but as those obligations grow, so does the opportunity cost. The resources we dedicate to additional administrative requirements are resources that cannot be invested in the students and communities we serve every day. I respectfully ask that the Attorney General's Office consider the operational realities facing school districts and carefully evaluate the cumulative impact of these proposed changes. Transparency and accountability remain critically important, but implementation requirements should be practical, sustainable, and mindful of the resource constraints facing public education.
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20.	Teresa Main Assistant Superintendent of Business and Operations Lake Stevens School District	As a public school district, we fully support the principles of transparency, accountability, and public access to government records. Public trust is essential to our work, and we are committed to complying with the Public Records Act while serving students, families, staff, and our community. At the same time, I respectfully ask the Attorney General's Office to consider the operational realities facing school districts and the cumulative impact these proposed changes may have on already limited educational resources. During the current school year, our district has received 118 public records requests and currently has 11 open requests. To fulfill these requests, district staff have devoted approximately 670 hours to records-related work. Based on employee compensation, this represents more than \$68,000 in personnel costs alone. This figure does not include legal fees, records management systems, technology costs, or the time spent by school and department staff locating, reviewing, and organizing responsive records. As public schools continue to face increasing demands on limited resources, it is important to remember that every hour devoted to compliance activities is an hour (in time and money) that cannot be spent directly supporting students. Behind every public records request are real people whose time is being redirected from educational services, student support, business operations, payroll, human resources, transportation, and school administration. Several aspects of the proposed rules would significantly increase the administrative burden on school districts: Personal Devices and Personal Email Accounts The proposed requirement that employees transfer district-related records from personal devices or personal accounts into district systems within five business days would create substantial training, monitoring, and compliance obligations. School districts would need to educate and support all employees who may occasionally conduct district business on personal devices, while also developing systems to ensure consistent compliance. Expanded Points of Entry for Public Records Requests Current practices allow districts to direct requestors to a designated Public Records Officer, creating a clear and efficient process. Under the proposed rules, districts could only recommend that process. As a result, any employee who receives a request may need to recognize it as a public records request and promptly route it for processing. This would require district-wide training and increase the risk of inadvertent delays or inconsistencies. Increased Expectations for Response Timelines The proposed distinction between simple and complex requests creates an expectation that simple requests be fulfilled within five business days whenever possible. While timely responses are important, districts would need to develop new
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		procedures to evaluate requests, prioritize workloads, and manage multiple response timelines simultaneously, often with limited staffing. Districts would possibly need to add staff to assist in determining the difference between simple and complex, in order to meet the deadlines. Additional Communication and Documentation Requirements The proposal encourages agencies to work with requestors who identify specific timing needs and to prioritize records accordingly. While collaboration is valuable, these discussions require additional communication, documentation, evaluation, and staff time, particularly when managing multiple requests concurrently. Expanded Administrative Requirements for Employee-Related Records The proposed rules formalize additional notice requirements when records may affect employees or other third parties. Requests involving personnel, payroll, training, and similar records would require additional notifications, tracking, and coordination, further increasing administrative workload without a cost-recover mechanism for that work. More Frequent Installment Production The proposal encourages agencies to release records in installments as they become available. Although this may benefit requestors, it also creates additional tracking, review, quality-control, and communication responsibilities for districts handling large or complex requests. More Complex Request Closure Requirements The proposed rules require more detailed closure notices and reduce some of the flexibility districts currently have when closing straightforward requests. Because closure notices are required for every request, even seemingly minor procedural changes can create significant cumulative impacts over time. School districts remain committed to transparency and public access. However, any changes to Public Records Act requirements should be practical, sustainable, and mindful of the staffing and financial constraints facing public education. Additional administrative requirements, shortened timelines, and expanded procedural obligations inevitably divert resources (time and money) away from the core mission of educating students. I respectfully urge the Attorney General's Office to carefully evaluate the cumulative operational and financial impacts of these proposed changes and to consider modifications that preserve transparency while providing agencies with the flexibility necessary to implement the law effectively and sustainably.
21.	Lillie Torres Executive Director of Human Resources	I am writing to express my concern for changes being proposed to the already cumbersome public records request process. I work for the Fife School District as the Executive Director of Human Resources.

	Fife Public Schools	We have just under 4,000 students with our enrollment trending down as many other districts in the state. However, our public records requests have more than tripled over the past year. We currently have our Executive Admin Assistant to the Superintendent processing the requests. At the time she took it on, we would average 1 or 2 a month. Currently we are trending towards at least 1 per week. With the increased popularity of AI in everyday communication, we have also seen our public records requests start to include complex to decipher language. This has added pressure, stress, and time to nearly all our requests. In review of the current proposed changes, these tasks will start to become untenable. We cannot continue at the current pace we are already on with the limited resources that the state provides. Imposing stricter installment requirements, expanding personal device retention, allowing intakes to be considered by more than the designated person, and required processing times for "simple" requests will absolutely cause districts to make unintentional errors that will result in frivolous lawsuits. As school districts are already grossly underfunded, adding on defending the district's action on public records requests will result in rerouted funding and ultimately only make students suffer. The public absolutely has the right to understand where and how their money is being spent and should hold their public officials and organizations accountable. However, there MUST be some reasonable parameters set for this process. The stress and worry behind not getting a public records request right is crippling. We will not be able to keep these positions filled if the target keeps moving and the demands continue to increase.
22.	Sally Shelton Executive Administrator Yakima Housing Authority	 Comment on proposed revised ru
23.	Jill Burnes Superintendent Enumclaw School District	 Ltr-Office of Att Gen 06.2026.pdf
24.	Megan Kensok Assistant to the Superintendent Cheney Public Schools	I received notice of the proposed changes to the Public Records Act and would like to submit my comments on the proposed changes. I have listed those comments below: 2. Request intake and routing will become harder to centralize I disagree with this change. Routing public records requests through a single designated person and system ensures consistency, continuity of communication, and compliance with statutory timelines. Centralized intake also reduces the likelihood of errors or missed requests. School office staff, reception staff, HR staff, and other front-line employees already manage significant responsibilities and should not be expected to assume additional duties related to recognizing

		and routing public records requests when a designated process and trained records officer are already in place. Requiring requests to be recognized and routed from multiple locations increases the risk of confusion, inconsistent handling, and missed deadlines. 3. Front-end processing becomes more structured and faster for simple requests I disagree with this change. Imposing rigid processing requirements based on subjective classifications such as "simple" requests does not reflect the realities of public records administration. A request that appears to involve a single, specific, and identifiable record may still require coordination among multiple departments, review for exemptions, and verification of completeness before disclosure. While the existing five-day acknowledgment requirement is reasonable, requiring production of records within five business days, even when records are readily identifiable, may create significant burdens for district staff whose primary responsibilities are unrelated to public records compliance. In addition, districts often receive multiple requests from frequent or serial requesters. Prioritizing certain requests for expedited production could delay processing of other pending requests and create inequities in overall response times. Public records officers typically rely on other departments to locate and provide responsive records, and those departments must balance records requests with their regular operational responsibilities. Requiring complete production within five business days in these circumstances is often unrealistic and may negatively impact district operations. 4. The initial five-day response becomes more individualized I disagree with this change. Adding additional requirements regarding requester-imposed timelines creates further administrative burden within an already complex and subjective process. Districts already strive to provide records as quickly as possible and provide estimated completion dates based on the information available at the time. Requiring PRA officers to evaluate and respond to individual claims that records are time-sensitive, and then document why a requester's preferred timeline can or cannot be met, adds additional communication and recordkeeping obligations without improving the efficiency of the disclosure process. This additional administrative work may actually reduce the time available for locating, reviewing, and producing responsive records. Requesters already have the opportunity to communicate their needs and circumstances, and districts should retain flexibility to establish realistic timelines based on the scope of the request, availability of records, staffing resources, and competing obligations. 5. Installment production is broadened and made more affirmative
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		I disagree with this change. While installment production can be an effective tool for providing records as they become available, requiring more frequent installments and associated notices creates additional administrative obligations that may not result in faster overall completion of requests. Many public records officers perform these duties in addition to their primary job responsibilities. Increased requirements for installment tracking, notifications, and follow-up communications create additional opportunities for error and divert time away from the substantive work of locating, reviewing, and producing records. Districts should retain flexibility to determine when installment production is appropriate based on the size and complexity of the request, available staffing resources, and the practical realities of gathering records from multiple departments. Mandating more frequent installment production and communication requirements may ultimately slow the overall process rather than improve public access.
25.	Marissa L. Rathbone Assistant Executive Director of Government Relations & Advocacy Washington Association of School Administrators	 WASA - Public Comment on Propos
26.	Gary Sabol Director of Communications Arlington Public Schools	I am writing to you today regarding proposed changes to WAC 44-14, Washington State’s Public Records Act. I appreciate the opportunity to provide feedback on the proposed amendments to the Public Records Act. Arlington Public Schools is a public school district located in a rural area of Snohomish County. The Arlington School Board is committed to providing the public full access to records concerning the administration and operations of the district. However, many of the proposed changes would increase the cost and amount of time it takes to process requests by adding additional requirements at a time when many public school districts are struggling financially and reducing staff. This could also increase liability to school districts if certain restrictive timelines aren’t met. I am the sole public records officer for Arlington Public Schools. Processing public records requests is just one of my responsibilities but one that has seen a dramatic increase in recent years. Since 2022, the number of public records requests the district has received has more than doubled on an annual basis. In many cases, processing records requests involves multiple departments that could take time away from our primary mission – the teaching and learning of students. An example of a section that would be unduly burdensome to public agencies is the section under Providing Fulllest Assistance that references, “Where a request has been made for a single, specific, available, identifiable record, that

		requires limited review for exempt content, the (name of the agency) will endeavor to produce the request within five business days if practicable to do so.” For instance, a district could receive a request for “single, specific, available, identifiable record” such as a bus video but this single record could take days or weeks to process because you may have to blur student faces. The same could be said for a single PDF file of emails that could contain 10,000 pages that would have to be reviewed and redacted which could also take days to weeks to process. I encourage the Attorney General’s Office to review the proposed changes through a lens of how it would impact school districts that are already struggling to process requests with limited staff and resources.
27.	Stephanie Montgomery Senior Office Manager Island County	I am submitting my public comment on the proposed PRA Rule Making as there will be serious implications if these rules are implemented. <i>“The PRA ensures the sovereignty of the people and the accountability of the governmental agencies that serve them by providing full access to information concerning the conduct of government.”</i> This quote is straight off of the AGO’s website https://www.atg.wa.gov/pr-consulting-program#:~:text=The%20PRA%20ensures%20the%20sovereignty,concerning%20the%20conduct%20of%20government. I would like to call attention to the bolded words, “the conduct of government” and issue the below plea to the Attorney General to not implement the proposed changes. If the processing of public records were in fact for only records that pertain to the conduct of government business, then the proposed changes wouldn’t be so bad. However, records requests have become the norm for everything and everyone: the new home buyer, who wants everything that has been done on their home since 1930, the nosey neighbor, who wants to know what their rival down the street is building, the code violator, who wants to know who turned them in, etc.... These records requests are not because the requester wants to know how the government conducted business, such as the PRA was intended to for. I probably only process a half dozen records requests a year that actually pertain to wanting to hold the county accountable for their actions and/or decisions. I urge the Attorney General’s Office to deny this petition that has been brought forth as it takes us further away from the real reason in why the Public Records Act was first created. As transparency and accountability of government business is still the true definition of the PRA, then make it to where the public records requests must actually pertain to government’s business that would hold them accountable for wrongdoing and not just blanket requests for everything.

		This would cut down on the number of requests each agency has to handle, provide a more reasonable turnaround time and prevent frivolous lawsuits for “reasonable” time frame not being met. I urge the Attorney General’s Office to see the proposed changes for what they truly are, a product of our spoiled society that has become accustomed to everything “on demand”: from expecting people to respond to texts messages immediately, to watching television shows when we are ready to having our food delivered in the next fifteen minutes. The proposed changes are not suggested in making the Public Records Act more concise or more tolerable, they are being suggested to make it easier for the requester to get their way and win in a litigation, while making it harder for an agency to keep up with the demands of the requests. I ask that the Attorney General’s Office think of the repercussions it will have on agencies’ time, funds and resources if the changes in this petition were to be approved. I greatly appreciate your time in reading my public comment. Thank you again for your time and consideration when deciding whether to approve any part of this petition’s proposed changes.  PRA RULEMAKING COMMENTS.pdf
28.	Brett Greenwood Superintendent Sedro-Wooley School District	 20260624094325335 .pdf
29.	Jon Young Assistant Superintendent Auburn School District	On behalf of the Auburn School District, we appreciate the opportunity to submit formal written comments regarding the proposed revisions to the Public Records Act (PRA) Model Rules (Chapter 44-14 WAC). While we respect the Attorney General's objective to streamline transparency and reduce barriers to public information, we urge the AGO to consider the uniquely challenging operational environment of K-12 public education. School districts operate on tightly capped state and local levy funds; we do not have dedicated, full-time public records departments comparable to large state agencies. We request that the AGO address the following material concerns prior to finalizing any updates to the Model Rules: 1. The Burdens of Mandated "Triage Tracking" (Simple vs. Complex Tracks) The proposal encourages or expects agencies to segment incoming requests into distinct "simple" and "complex" tracking pathways.

		• The Concern: While logical for large state entities, creating separate bureaucratic tracks places an immediate upfront analytical burden on smaller local education agencies. Correctly sorting a request takes administrative time that could be better spent actually compiling records. • Requested Change: The final rules must explicitly clarify that implementing multi-track processing is entirely optional, discretionary, and dependent upon an agency's size and staff capacity, ensuring that school districts are not penalized or held to a standard they cannot realistically fulfill. 2. Unrealistic Five-Day Production Expectations for "Single Records" The updated language suggests that if a request seeks a single, specific, identifiable record, the agency should provide that record within the initial statutory five-day window. • The Concern: In a school district context, a single identifiable record (such as an email, student incident report, or personnel file) frequently contains highly sensitive student data protected by FERPA, or employee privacy information protected by state law. These records almost always require legal review and careful redaction. Mandating or heavily pressuring a five-day turnaround bypasses the critical scrutiny needed to protect minor students and staff. • Requested Change: Add explicit balancing language emphasizing that the five-day turnaround expectation for single records must yield to the necessary time required to perform statutory redactions, protect privacy, or obtain legal counsel. 3. Heightened Thresholds for Third-Party Notices The revisions place a stricter burden on districts to prove a "reasonable belief that the records are arguably exempt" before issuing a notice to an affected third party (such as a teacher, student family, or vendor). • The Concern: School districts have a protective duty of care to their communities. If a request targets sensitive personnel complaints or student-adjacent data, districts often issue third-party notices to allow individuals the chance to seek a protective injunction in court. Elevating the standard for when an agency may send a notification curtails an individual's right to defend their own personal privacy. • Requested Change: Broaden the notification standard to allow agencies to issue third-party notices whenever a record contains personal or proprietary information, ensuring individuals retain their right to seek judicial intervention. 4. Disproportionate Administrative Costs and Abuse Vulnerabilities The proposed revisions focus significantly on expanding access but fail to provide tools to mitigate systemic issues, such as frivolous, overly broad, or automated commercial requests. • The Concern: Managing massive, fishing-expedition style requests draws heavily on public education funds. When courts view these Model Rules as "best practices," districts face severe litigation risks for minor clerical variances, even when acting in good faith.
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		Requested Change: Incorporate balanced advisory language within the WAC that supports an agency's ability to seek clarification on overly broad requests, and explicitly acknowledge the practical resource constraints that impact local government compliance. Thank you for your consideration of the unique fiscal and operational realities of Washington's public school districts. We ask that the AGO adjust these model rules to balance the public's right to know with our primary directive: educating and protecting Washington's children.
30.	Travis Nelson Regulatory Affairs Manager Washington Public Utility Districts Association	 WPUDA comments AGO PRA Ammend C
31.	William (Ed) Hatzenbeler Superintendent Orting School District	As a school superintendent, I do support transparency and the public's right to government records. My concern, as others in public education are voicing, is the combined effect of the proposed revisions. My district already receives more requests than staff and budgets can absorb, and the changes would require increased staff time and training at the cost of schools and students. This year alone, we will have spent \$90,000 to accommodate public records requests. This pulls funding directly from our classrooms. Proposed changes exacerbate this problem. I am most concerned about: • Capturing and transferring records from personal devices and accounts. • Removing the ability to require that requests go to a public records officer. • Faster timelines for simple requests and case-by-case handling of complex ones. • Broader third-party notice when records involve personnel. • More frequent installments and more detailed closing letters. I respectfully ask your office to consider revisions that protect transparency while giving local agencies flexibility, and to pair any new requirements with realistic timelines and state funding.
32.	Sarah Foy Communications Officer Oak Harbor Public Schools	 Public Comment - AGO Model Rule Ch

33.	Kathryn Leathers Director Department of Retirement Systems	 Comment Letter.docx
34.	Danielle Gray	I am writing to ask that the PRA Model Rules include clearer guidance for public records requests involving publicly funded, regulated, and defined by statute/law "low-income"/"affordable" housing programs. This is not a small records issue. "Low-income"/"Affordable" housing programs involve \$billions in public investment, voter-approved initiatives, tax credits, grants, loans, covenants, and regulatory agreements. Entire public agencies exist to administer and oversee these investments. The records at issue concern the housing, rents, inspections, budgets, and compliance obligations affecting over 100,000 tenant households in Washington. I respectfully ask that the Model Rules clarify how agencies should handle PRA requests for affordable-housing compliance records when those records are required by a public agency but physically held by a third party, such as an owner, borrower, property manager, contractor, or regulated nonprofit. The rules do not need to say that every private housing record is a public record. But they should give clear direction on whether an objectively reasonable search includes contacting the third party or searching the third-party repository when the agency requires, reviews, relies on, or has the right to inspect or copy those compliance records. If the AGO's position is that these records are not public records, then the Model Rules should say that clearly. The public should be able to understand how the AGO views public investment, voter-approved housing initiatives, agency oversight, and the compliance records created to administer these programs.
35.	Anonymous	I fully support all proposed changes to model rules. Agencies need to live up to the spirit of the law, and sadly many are not. Transparency is eroding under the guise of "it's too burdensome and people are just trying to trip is up." No, that's not true. We just want agencies to follow the law like the rest of us have to.
36.	Jay Rowell Director of Special Projects Central Valley School District	 Comments on Proposed Revisions
37.	Donna Blankinship	Comments from an independent journalist and citizen of Seattle, King County, Washington, USA:

		The Public Records Act was created to serve the needs of Washington citizens and other residents, not government agencies or the people employed by those agencies. Any rules written to modernize the act must keep that focus in mind. Just like public safety and road repair, supplying public records to the public is a key function of all Washington governments. Fulfilling the requirements of the PRA should not be treated as an annoying extra bit of work that governments can do when they have time and a budget. If a government finds it difficult to answer public records requests in a timely manner with its current budget and staffing levels, they should increase the budget and staff. Thank you for taking a careful look at the PRA and the way it is used. Please don't make it harder for the public to get the information we need promptly just because the government agencies fulfilling our requests say it's too hard. All of government work is hard and expensive. That's why we pay taxes.
38.	James Cockburn Director of Marinas and Public Policy Washington Public Ports Association	 WPPA Comments to AGO on Revised Mo
39.	Dr. Tracey Edou Superintendent Cascade School District	I am writing to provide comments on the proposed revisions to Chapter 44-14 WAC. I appreciate the effort to update the model rules; however, I have several concerns regarding the practical impact of these changes on agencies that are already under significant strain. 1. Fixed 30-Day Response Expectation The proposed emphasis on a more rigid 30-day response timeline is concerning. While consistency is important, a fixed expectation does not adequately account for the wide variability in the size, complexity, and scope of public records requests (PRRs). In practice, many requests now involve: • Extremely large volumes of electronic records • Complex search, review, and redaction processes • Coordination across multiple departments or systems

		A standardized timeframe risks creating unrealistic expectations for requestors and added compliance pressure for agencies, rather than supporting timely and thoughtful responses. The current approach which allows a “reasonable timeframe” based on the nature of the request better reflects operational realities and should be preserved or strengthened. 2. Impact of Increased Volume of Requests (Including AI-Driven Requests) Agencies are experiencing a dramatic increase in the volume and breadth of PRRs, and it is important to recognize that emerging technologies, including AI tools, are contributing to this surge. These tools enable requestors to generate: • Broader and more complex requests • High-frequency or overlapping submissions • Requests that may require extensive data aggregation or reconstruction The proposed rule changes do not appear to acknowledge or address this growing burden. Without such recognition, the revisions risk being misaligned with current operational realities and may unintentionally worsen existing workload challenges. 3. Electronic Records and Fee Structure The current rules do not adequately account for the resource demands associated with electronic records, which now make up the overwhelming majority of PRRs. While electronic delivery is often perceived as low-cost, the staff time and technical resources required to process these records are significant. Consideration should be given to: • Adjusting or increasing fees associated with electronic records • Allowing agencies greater flexibility to recover actual costs • Recognizing the intensive labor involved in searching, reviewing, redacting, and exporting digital data Without updates to the fee structure, agencies may continue to face unsustainable workloads without corresponding resources. 4. Overall Practical Impact Taken together, the proposed updates risk being perceived as disconnecting policy expectations from operational capacity. Many agencies are already struggling to manage PRRs alongside their core functions. Imposing stricter timelines without addressing volume, complexity, or cost recovery may increase backlogs, reduce response quality, and continue to contribute to staff burnout and turnover.
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		5. Recommendation I respectfully recommend that the Attorney General’s Office: • Retain or reinforce a flexible “reasonable timeframe” standard • Incorporate acknowledgment of increased request volume and technological impacts • Reevaluate the fee structure for electronic records to better reflect actual processing costs • Engage further with agencies to ensure the rules are grounded in current, real-world conditions While modernization of the model rules is important, it is equally critical that updates reflect the realities agencies face today. As currently proposed, these changes may unintentionally exacerbate existing challenges rather than alleviate them.
40.	Judith Leshner	Having been made aware of this June 30 Hearing by the editorial of <u>The Seattle Times</u>, as a 43-year resident of Washington State I want to express my strong endorsement of “The People’s Right To Know”. There should be very few exceptions to this right. Our state government must remember that our representative democracy is “of the people, by the people and for the people”.
41.	Patrick Murphy Superintendent Olympia School District	The public has a right to view the inner workings of public institutions like school districts. However, the proposed changes would assuredly create an Increased and unnecessary administrative burden. For the last 14 years, the OSD’s public records work has been managed by a single .5 FTE employee. The new rules would require significantly more time for: • Multipart intake and prioritization routing of new PRRs; • Increased installment tracking and documentation; • Mandatory follow-up communications and expanded closure procedures; • Ongoing monitoring of personal device compliance for all staff. One of the most concerning proposals is the requirement to capture records created on personal devices (phones, personal email) into district systems within five business days. We already require folks to be responsive to PRR if they use their private device for work. This new rule would increase costs by: • Training Needs: This reaches every employee, necessitating district-wide training on identifying and transferring records. • Compliance Checking: Districts would be responsible for periodic compliance checking, which is a major staff time

		driver rather than a simple copying task. • Existing Practices: the OSD currently relies on staff providing screenshots or forwarding texts as needed, but the five-day rule formalizes and accelerates this burden. There would be Financial and Opportunity Costs. Public records compliance already consumes significant resources in Olympia School District . We processed approximately 130 public records requests in 2025. That is one request on average every 2.75 days. This is a greater and greater fiscal challenge for us. The new rules would exacerbate that with: • Unreimbursed Costs: staff time spent on records gathering and processing/review, which is not recoverable through standard copying fees. Please note, in 2025 OSD only recouped \$79.00 in fees from requesters for copies of records. The new rules pose Administrative & Legal Concerns like: • Adding more detailed procedural layers, the proposed rules increase the likelihood that we could make unintentional mistakes despite good-faith efforts to comply. • We are seeing an increase in the number of PRRs including increasingly broad and time-consuming requests that require coordination across multiple departments. • This may be manageable for large districts with dedicated legal teams, these requirements represent a major burden for OSD while we address significant budget challenges. Bottom line is these new changes would take an already ever increasing burden of money and time and make it worse.
42.	April Martz Associate Director of Compliance and Investigations Lake Washington School District	 2026.06.29_LWSD Response to Propos
43.	Kim White Public Records Officer Wenatchee School District	I am writing from my perspective as the Public Records Officer (PRO) for the Wenatchee School District to provide formal feedback on the revised WAC 44-14 model rules proposal. While this rulemaking process was initiated by news media petitions regarding agency response times, the resulting framework heavily penalizes small, resource-constrained school districts. Although the AGO characterizes these model rules as non-binding advisory guidelines, Washington courts have historically treated them as persuasive indicators of agency "reasonableness". Consequently, adding terms like

		"prompt" and "timely" throughout the text transforms optional best practices into rigid legal thresholds, thereby elevating our localized litigation risks. My dual role as both the PRO and the Executive Assistant to the Superintendent and School Board illustrates our severe staffing limits. We have no additional personnel assigned to manage or review public records requests, and our ongoing budget reductions since 2022 have prevented us from expanding staffing. For a single employee, the new mandate to abandon our fair, first-come, first-served workflow to instead manually sort incoming requests into separate simple and complex tracks creates an unsustainable operational bottleneck. Managing multiple competing queues is compounded by requirements to fast-track single records within an aggressive five-day window, log records from personal devices within five business days, and draft formal agency orders just to prove that a records index is unduly burdensome. Furthermore, capturing decentralized requests across untrained front-line staff, because we can no longer mandate a single submission process, severely fractures our intake system. The proposed revisions to third-party notice are troubling because the new "reasonable-belief" threshold restricts our ability to notify employees of requests for their personnel, payroll, or supervisory files. Forcing the PRO to make an upfront legal determination on whether a record is arguably exempt before providing notice effectively limits discretionary notifications. This shifts the complex task of legal vetting onto the PRO and denies employees a fair opportunity to have their own attorneys evaluate the records to protect their privacy. I respectfully request that the AGO re-evaluate the proposed revisions to eliminate the costly operational burdens on school districts, preserve neutral and equitable processing, and align definitions directly with the clear statutory standards established in RCW 42.56.
43.	Brenda Semeraro Accounting and Purchasing Supervisor Shoreline School District	Public school districts in Washington State have experienced a significant increase in public records requests since January 1, 2026 compared to the entire year 2025. If a response to a requestor indicates "District does not utilize the vendor being requested" , oftentimes the requestor will modify the original request. In addition, several requests will ask for multiple years of information. If a vendor is significantly utilized by a District, the request can involve a significant amount of time to complete due to the multi year request. Modifying the legislation regarding public record requests in any way other than placing constraints on the requestor such as: - requesting 6 months to one year of data vs three

		- limiting the number of requests an individual/address can request in a particular year - allowing agencies to take as much time is needed to satisfy requests Giving more power to a public records requestor vs a public agency can place a significant hardship on the public agency.
44.	Marissa Huntley Assistant to the General Manager Sammamish Plateau Water	 SPW Comment Letter - PRA Model F
45.	Dan Schlotfeldt Superintendent Snoqualmie School District	As superintendent of the Snoqualmie Valley School District, I take seriously my responsibility to support transparency and the public's right to access government records. Our district is committed to fulfilling both the letter and the spirit of the Public Records Act. My concern is the combined effect of the proposed revisions. SVSD already receives more public records requests than existing staff and budgets can reasonably absorb, including broad commercial requests, out-of-state vendor-related requests, and increasingly complex AI-generated template requests. The proposed changes would require additional staff time, training, tracking, communication, and administrative oversight at the cost of time and resources that would otherwise support schools and students. I am most concerned about: • Capturing and transferring records from personal devices and accounts. • Removing the ability to require that requests go to a public records officer or designated central contact. • Faster timelines for simple requests and more individualized, case-by-case handling of complex ones. • Broader and more formalized third-party notice when records involve personnel. • More frequent installments and more detailed closing letters. SVSD supports transparency and accountability. However, the cumulative impact of these proposed changes would create additional unfunded administrative responsibilities for school districts already operating within limited resources. I respectfully ask your office to consider revisions that protect transparency while giving school districts and other local agencies the flexibility needed to respond responsibly. I also urge that any new requirements be paired with realistic timelines and adequate state funding to support implementation.

46.	Lewis Kamb Investigative Reporter U.S. Right to Know	I've spent more than 30 years as a journalist in Washington, including at <i>The Seattle Times</i>, <i>The (Tacoma) News Tribune</i> and the <i>Seattle Post-Intelligencer</i>. More recently, I served as NBC News' first national Freedom of Information Act reporter, and I currently work as an investigative journalist for the nonprofit news organization U.S. Right to Know, where public records and FOIA requests are central to my reporting. Over my career, I've filed thousands of public records and FOIA requests. I've seen firsthand how well-crafted transparency laws strengthen government accountability, and how delays can undermine even the strongest laws in practice. Washington's Public Records Act remains one of the nation's strongest public records laws, but in my experience as a working reporter, obtaining timely access to public records has become increasingly difficult. For that reason, I strongly support the proposal's renewed emphasis on promptness, diligence, individualized time estimates and timely production of records by installment. Perhaps most importantly, the proposal recognizes that excessive delay – not just outright denial – has become one of the greatest threats to meaningful public access. I also appreciate that the Attorney General's Office adopted many of the media coalition's recommendations, and I urge adoption of its remaining proposals, particularly those discouraging unnecessary third-party notice that delays disclosure without a realistic legal basis for an injunction, encouraging the fastest practical transmission of records, and removing subjective, non-statutory concepts such as "availability" that invite disputes rather than disclosure. My perspective is informed not only by decades of filing public records requests, but by the growing delays I've encountered in obtaining them. In my own reporting, I've had requests remain open for years, while others took many months before agencies produced even the first installment of responsive records. While I recognize that agencies often face staffing and workload challenges, prolonged delays undermine one of the central purposes of the Public Records Act: providing the public with timely access to information about its government. By emphasizing promptness throughout the model rules, these revisions send an important message that timeliness is not merely a best practice but a fundamental component of meaningful public access. For journalists, timeliness isn't simply a matter of convenience. It's essential to reporting accurately and holding government accountable while decisions are still being made. Records released after a legislative session has ended, an election has passed or a major public controversy has faded often lose much of their value as tools of public oversight. The public cannot effectively scrutinize government decisions after the debate has ended or the decisions have already been made. Delayed access weakens the press's ability to serve as an effective watchdog on behalf of the public and ultimately weakens the public's ability to participate meaningfully in its own governance. Washington has long been a national leader in open government. These revisions – particularly if strengthened further as recommended by the media coalition – will help ensure that the Public Records Act delivers not just eventual access to
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		public records, but access that arrives while it can still inform public debate, improve government accountability and strengthen our democracy.
47.	Amber Porter Chief Financial Officer Oak Harbor Public Schools	I am writing to pass along some operational impacts of the proposed rule change in light of what our school district is currently experiencing: Unprecedented Volume and Complexity Growth: Since 2023, Oak Harbor Public Schools has experienced a 270% increase in public records requests. Individual requests routinely involve high complexity; for example, a single recent request required reviewing nearly 9,000 records to produce 1,500, before ultimately being abandoned by the requester. · Resource and Staffing Reallocation: To maintain statutory compliance amid this volume, the district has been forced to add dedicated public records staff. Because these positions are unfunded mandates, this administrative expansion has occurred simultaneously with budget constraints and staff reductions in direct student-support programs. · Cumulative Compliance Burden: While individual model rules may seem manageable in isolation, their cumulative effect creates a compounding operational and financial burden. For instance, the proposed requirement to transfer records from personal devices within a strict timeframe expands compliance, training, and monitoring mandates across all district personnel. · Legal and Financial Risk: Because PRA Model Rules function in practice as the benchmark for compliance evaluation, even advisory changes necessitate immediate operational adjustments and legal risk-mitigation measures, regardless of available district funding.
48.	Paul Quinn	We need an open government to help us understand what is being done and importantly, better understand why actions were taken. We need to allow only a few exceptions to public record requests.
49.	Sara Herber Business Operations Coordinator Edmonds School District	I am a Public Records Officer with Edmonds School District and am part of a professional group that includes public records officers from approximately 50 Washington school districts. Like many agencies across the state, we have experienced a dramatic increase in the volume of public records requests without any corresponding increase in staffing. I am sure you are hearing that concern from many agencies, so I wanted to share a few specific examples from our district that illustrate how these proposed changes will affect day-to-day operations. Edmonds School District has received 16 public records requests so far in 2026 from companies located in Delaware and New York seeking procurement and contract records to support their commercial business operations. While the Public Records Act does not distinguish between commercial and noncommercial requests for these types of records, processing

		these requests requires significant staff time to identify, review, redact, and produce records. Those are resources that otherwise would be devoted to supporting our students, schools, and local community. We have also experienced an increase in interactions with a small number of abusive or harassing requesters while remaining subject to strict statutory response timelines. In some instances, requesters have submitted requests through multiple or unexpected communication channels, including email accounts associated with former employees, creating additional administrative challenges and increasing the risk of missed communications despite our best efforts. The proposed revisions would add additional procedural requirements at nearly every stage of the public records process—including request intake, individualized communications, third-party notifications, installment production, and closure documentation. While each requirement may appear modest in isolation, together they will significantly increase the amount of staff time required to process every request. I respectfully ask that these operational realities be carefully considered before imposing additional administrative obligations on Washington's public agencies, particularly school districts whose primary mission is serving students.
50.	Jessica Leiser Assistant City Attorney Seattle City Attorney's Office	 City of Seattle Comments on PRA N
51.	Peri Gallucci Washington Municipal Clerks Association	 WMCA Comments on Proposed PRA M
52.	Melanee Auldredge Public Disclosure Manager Washington State Department of Health	Please find the Department of Health's comments to the revised PRA Model Rules in red text below. Thank you for the opportunity to review and provide comment. <u>WAC 44-14-010 Authority and Purpose</u> (1) "RCW 42.56.070(1)..." Our response to May 2026 version: What is the accepted definition of "promptly?" Without it defined in rule, there could be many interpretations.

		<u>WAC 44-14-020 Agency description—Contact information—Public records officer.</u> (3) <i>“The public records officer will oversee compliance...”</i> Our response to May 2026 version: “The most timely possible action on requests...” How does AGO define “promptly?” Without it defined in rule, there could be many interpretations. <u>WAC 44-14-030 Availability of public records.</u> (3) <i>“Organization of records.”</i> <i>“If (name of agency) employees create or receive public records on personal devices or in personal accounts, such employees shall transfer or copy the records that are being retained to work devices or work accounts as soon as practicable.”</i> Our response to May 2026 version: The addition of “five business days, or in unusual circumstances as soon as practicable” does not really address the ambiguity from the original, as “unusual circumstances” introduces a new subjective standard. We recommend either reverting to the previous language (“as soon as practicable”) or establishing an objective timeline (for example, “as soon as practicable, but no later than 30 calendar days after the record was created or received.”) (4) <i>“Making a request for public records.”</i> (b) <i>“When submitting a request to inspect or copy records, please provide the following information:</i> <i>Name of requester (optional) ...”</i> Our response to May 2026 version: no suggested changes. <u>WAC 44-14-040 Processing of public records requests – General.</u> (1) <i>Providing the most “timely possible action...” May 2026 version changed to providing “fullest assistance.”</i> Our response to May 2026 version: Requiring agencies to do this is problematic. What is “sufficient” staff time? Is the one-day included in the five-days, or is it in addition to? That is unclear. What does a “single record” consist of? A “single record” could be multiple pages (up to hundreds). “Record” must be defined or at least limit the number of pages that agencies would have to provide within five days. “Available” was added...as well as “...that requires limited review for exempt content...”
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		How do you prove “practicable” --is that the same as “reasonable?” Practicable – feasible and capable of being performed (Black’s Law Dictionary) versus “reasonable” – actions that are justifiable, fair, and appropriate given the circumstances. (2) Our response to May 2026 version: No suggestions. (3) <i>“The public records officer or designee will evaluate the request according to the nature of the request, volume, and availability of requested records before providing the initial response. When evaluating the nature of the request, the (name of the agency) should consider if the requestor has identified a reason that time is of the essence for the production of the records and if it is practicable to produce the records in the time frame provided by the requestor...”</i> May 2026 version added: “If due to the availability of records, the quantity of responsive records or the record's content, production of all the requested records is not practicable within the time frame provided by the requestor, the public records officer will work with the requestor in an effort to identify and prioritize individual records.” Our response to May 2026 version: This proposed change would present significant challenges for our agency. Our investigations often remain open for an indeterminate period. We are concerned that if a request is received for records related to an ongoing investigation, we may only be able to release partial information until the investigation is finalized which in many instances could be several months, delaying the availability of complete records for release. Additionally, while our agency is actively working toward becoming fully electronic, we have not yet achieved that goal. We currently maintain thousands of boxes stored at the State Records Center. To comply with the proposed change, these records would need to be scanned, which would pose a substantial financial and operational burden. The department also lacks sufficient space to temporarily store records during the scanning process. As a result, the proposed revision to this section of the model rules could create significant financial strain on the department and negatively impact our ability to meet processing timelines—potentially increasing the risk of litigation and associated costs. We are also concerned about how response times would be managed if, because of this rule change, requesters begin asserting that their requests are of an urgent nature and must be fulfilled within five days. What criteria or supporting information would requesters be required to provide to justify that “time is of the essence” for the production of records?
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		Overall, this change appears to shift a disproportionate amount of control to the requester, which could lead to an increase in appeals and litigation if records are not produced within the timeframe specified by the requester.. (4) <i>“Acknowledging receipt of request.”</i> Our response to May 2026 version: No suggestions/changes. (5) <i>“Consequences of failure to respond.”</i> Our response to May 2026 version: No suggestions/changes. (6) <i>Third party notice and preventing irreparable harm. In the event that the requested records contain information the disclosure of which may substantially and irreparably damage any person or vital governmental function, the public records officer may, prior to providing the records, give notice to a person named in such records or to whom the records specifically pertain. Before sending a notice, an agency should have a reasonable belief that the records are arguably exempt from disclosure. Such notice should be given so as to make it possible for the requestor to revise the request, or, if necessary, allow the affected person to seek an order from a court to prevent or limit the disclosure. The notice to the affected person will include a copy of the request and inform them that the disclosure will occur on a date certain, generally within 10 business days of the notice, unless an injunction is obtained under RCW 42.56.540.</i> May 2026 version: (a) In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer may, prior to providing the records, give notice to a person named in records or to whom the records specifically pertain. Before sending a notice, an agency should have a reasonable belief that the records are arguably exempt from disclosure. Such notice should be given so as to make it possible for the requestor to revise the request, or, if necessary, allow the affected person to seek an order from a court to prevent or limit the disclosure. The notice to the affected person will include a copy of the request and inform them that the disclosure will occur on a date certain, generally within 10 business days of the notice, unless an injunction is obtained under RCW 42.56.540. (b) The public records officer will provide third party notice required by law. RCW 42.56.250(2) requires notification of requests for information exclusively in an employee's personnel, payroll, supervisor, or training file. (If a state agency) RCW 42.56.660 requires that state agencies provide agency employees notice of certain work-place employment investigation records requests. Our response to May 2026 version: This appears to add a new required notice to the requester to allow them to revise their request. Would we do this first and then send third part notice if needed? What is the timeframe for this notification? Is this required? If the requester disagrees with this part, could they turnaround and sue
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		us for delay? How do we know it’s going to cause “irreparable harm” one way or another? This rule also seems to contradict the Governor’s EO 25-10, forcing an agency to disclose records relevant to Tribal rights/lands without the consultation process required. It seems to prioritize speed over maintaining partnerships with the Tribes. (7) <i>“Records exempt from disclosure.”</i> Our response to May 2026 version: No suggestions. (8) <i>“Inspection of records.”</i> (a) Our response to May 2026 version: No changes. (b) <i>The requestor must claim or review the assembled records within 30 days of the (name of agency's) notification that the records are available for inspection or copying, unless another time frame is agreed upon by the agency and the requestor. The agency will notify the requestor in writing of this requirement and inform the requestor to contact the agency to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the specified time period or make other arrangements, the (name of agency) may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request. The requestor may make a subsequent request for the same or almost identical records, which may be processed by the agency as a new request. In evaluating the time to process the new request, the agency will consider how recently the prior request was closed and the number of records from the prior request remaining to be processed.</i> May 2026 language added “assembled unproduced” to the last sentence. No suggested changes. Our response to May 2026 language: 30 days is too long. This complicates it more and makes requester and agency do a lot more work. How do agencies know if requestors need extra time if they don’t notify us ahead of time? Why not just say that we can’t close a request for failure to claim? Would rather have (8)(b) say, “The requester must schedule the inspection within 10 days of notification that the records are ready for inspection and if they fail to appear or do not reschedule within 24 hours prior to appointment time then we notify requester and close the request.” (9) <i>“Providing copies of records.”</i> Our response to May 2026 language: No suggestions/changes.
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		(10) <i>The (name of agency) shall, upon request for identifiable public records, make them promptly available including, if applicable, on a partial or installment basis as records that are part of a larger set of requested records are assembled or made ready for inspection and disclosure. The (name of agency) will be diligent when processing requests by installment. If, within ((thirty)) 30 days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.</i> Our response to May 2026 language: We recommend 10 days. (11) <i>“Completion of Inspection.”</i> Our response to May 2026 language: No change/suggestions. (12) <i>Closing a request. A records request will be closed when a requestor has inspected all the requested records, or copies of all responsive records have been provided, or a web link has been provided, or there are no records responsive to the request. A records request will also be closed when the requestor either withdraws the request, or fails to clarify an entirely unclear request, or fails to provide information legally required to obtain the records, or fails to fulfill his or her obligations to inspect the records, pay the deposit, pay the required fees for an installment, or make final payment for the requested copies. The (name of the agency) will provide the requestor a written communication stating the reason the request is closed, the date on which the request is closed, the fact that the agency will not further address the request, the date from which the one-year statute of limitations to seek judicial review begins to run, and the requestor may ask follow-up questions within a reasonable time frame. In those circumstances where the (name of agency) is asking the requestor to take an action, it may provide this written communication either at the time it requests action from the requestor by explaining the consequences of failing to take action, or after the requestor has failed to take the requested action, or both.</i> Our response: We would like to fully staff our public disclosure office; however, the primary challenge remains funding. Where can our agency—and others in similar circumstances—obtain the resources needed to support these critical positions? If agencies were permitted to charge requesters for staff time and for the costs associated with producing records, regardless of record type, we could more effectively recoup expenses. This would allow us to adequately staff our public disclosure offices, prioritize requests, and release records more efficiently. An additional concern, indirectly related to this rulemaking, involves the classification of public disclosure positions. We and our colleagues across the state have frequently discussed the inconsistencies in salaries,
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		position classifications, and levels of responsibility for public disclosure roles. Retaining staff in these positions is increasingly difficult, as employees often move between agencies seeking better compensation. If a specific administrative classification were established within the state HR system for public disclosure professionals—including Public Records Officers, Public Disclosure Coordinators, and Search Specialists—it could help standardize roles and compensation. This would likely improve recruitment and retention, enabling agencies to maintain sufficient staffing levels and respond to public records requests more promptly. We understand these changes would be complex to implement, but we appreciate your time and consideration of these important issues.
53.	Tyler Kennedy Deputy Prosecuting Attorney Pierce County Prosecuting Attorney’s Office	 PCPAO Comment on Proposed Chang
54.	June Riley Assistant City Attorney City of Walla Walla	Assistant City Attorney for the City of Walla Walla, submits these Comments on Proposed changes to Model Rules for Implementing the PRA for the Hearing on June 30, 2026. As a general comment which applies to all suggested revisions, WAC 1-06-010 which sets out the purpose of the WAC in regards to the PRA states that the purpose is to “ensure compliance by the statute law committee and the office of the code reviser with the provisions of chapter 42.56.” Accordingly, any imposition of additional liability or burdens upon agencies which is not provided for in the RCW 42.56 would be inappropriate via the modifications to the WAC. This section of the WAC also states that the purpose is “preventing excessive interference with other essential agency functions, and not unreasonably disrupting agency operations.” Therefore, the WAC and any modifications thereto should not subvert this purpose. 44-14-020 Should not require the creation of an index. There are many smaller agencies (small rural towns for example) that have existed for over a century. The requirement (as this is written) would create an onerous and nearly impossible unfunded mandate to create such and index. This section states that the agency will (a mandatory word regardless of the earlier statement that it means may) create and maintain ... and index to public records. This is a mandate, a requirement that will unreasonably interfere with the essential function of the agency and will be fiscally impossible for smaller jurisdictions to accomplish. The language should be changed to “may create”.

		44-14-040(3) A stated purpose for the evaluation should be provided. Subsection (2) provides that the PRO will evaluate the request considering the listed criteria, but this subsection does not provide for the purpose of the evaluation, is it to place the request in context with other requests in terms of simplicity or in terms of priority. This is unclear and should be clarified. Additionally, clarification should be provided that the prioritization applies to the responsive records within one PRA request and NOT prioritization between requestors. Subsection (12) a time line (such as 30 days) for the determination that the request has been abandoned should be included. Otherwise a requestor can come back after 180 days stating that they did not intend to abandon the request. Additionally, the requirement that the request be “entirely unclear” should not be included. The time line can require significant modification when there is a portion of the request that is unclear. To require that the entire request be unclear places a significant burden on already over worked and under funded public agencies, especially in smaller jurisdictions.
55.	Laura Greanias Investigations Editor The Seattle Times	 rulemaking letter.docx
56.	Richard E. Potter John M. Gray Administrative Law Section of the WSBA	 WSR 26-11-042 Admin Law Section c
57.	Michael Jones President Kennydale Neighborhood Association	To whom it may concern, the Kennydale Neighborhood Association is a nonprofit group of engaged residents who are dedicated to enhancing the quality of life and fostering community spirit in Kennydale, Washington (a neighborhood of Renton). KNA supports improving the public disclosure rules to promote citizen engagement around the state.
58.	Jane Hadley Retired Seattle-Post Intelligencer Reporter	More than 50 years ago, Washington State voters passed Initiative 276, also known as the Public Disclosure Act. The preamble to this act stated: “The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good

		for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created.” I appreciate the Washington State AGO's efforts, beginning in 2024, to modernize and improve the way that this act, so vital to our democracy, operates in practice. Even the most recent imperfect iteration of the reforms would be an improvement over the way the act has operated in recent times. However, I am writing to say that it is essential that the reforms require government information be made available to the public promptly. The word "prompt" was in the original Public Disclosure Act. And it is very important to journalists and others seeking that information that getting public information not be a slog. People should not have to wait months and months to receive government information. The original revisions proposed by the AGO were very helpful. The more recent revisions to the revisions are not helpful. Release of government information in a timely way was what voters initially wanted and what voters still want. Promptness is key to the public value of the records act. Open government improves citizens' knowledge of what is going on in their democracy. It encourages public engagement and improves the quality of that engagement. It is a deterrent to public cynicism, despair and, ultimately, outrage. I am writing to strongly urge you to make sure that the final revisions prioritize promptness in the release of government information.
59.	Glen Stellmacher Investigative Journalist	I am a licensed architect in Washington State and a freelance investigative journalist. My reporting has been published by The Intercept, Mother Jones, The Urbanist, Real Change, Prism, The South Seattle Emerald, and has been cited by the Seattle Times and in federal court filings by the American Civil Liberties Union (ACLU). I have filed three and settled two Washington State Public Records Act (PRA) lawsuits against the city of Seattle concerning requests I made to the Seattle Police Department (SPD). The city of Seattle has since admitted to violating the PRA in fulfilling one of my requests. Systemic problems persist in the SPD's fulfillment of their legal obligations under the PRA. My reporting is often hindered by officials who destroy records, refuse to answer questions, or delay response to public records requests. Recently, a city of Seattle investigation substantiated that an SPD public records officer was dishonest to me while fulfilling my public records request, closing it prematurely without a proper search after numerous delays.

	An internal counseling memo I uncovered revealed that the same SPD legal unit employee left 79 SPD public records requests unfulfilled past their assigned due dates. According to the memo, one public records request submitted to the SPD appeared to be silently delayed 25 times without notification to the (unknown) requestor. Forensic audits have also determined that SPD employees have destroyed thousands of records from their city-issued cell phones. Delays in fulfilling public records requests have even been a known liability for the department according to their own internal legal unit communications. The scope of my reporting has revealed information of extraordinary public interest, including the infiltration of FBI/SPD informants within Seattle’s 2020 protests, the willful negligence of Seattle’s police accountability systems and that the SPD was knowingly dishonest in their public statements concerning the use of surveillance technology. Former President Richard Nixon said that “When information which properly belongs to the public is systematically withheld by those in power, the people soon become ignorant of their own affairs, distrustful of those who manage them, and eventually incapable of determining their own destinies.” That is exactly what is happening today within the SPD. The public is being kept in the dark through the SPD’s culture of lawlessness in fulfilling the city’s responsibilities under the PRA. This leaves a void of information that the SPD then aims to exploit with their own propaganda to manipulate public opinion in furtherance of their own objectives. This is something that I have conclusively reported in Real Change, that the SPD used their own former federal consent decree court monitor as a surrogate to advance the department's own interests in the media. Cascade PBS later took down an op-ed from their website after I revealed it was initially secretly drafted by an SPD official. Throughout history, Seattle officials have routinely postured in public statements, touting the value of transparency. In practice, the SPD’s actions show that the department continues to restrict the public’s access to information, through delays, dishonesty, and destruction, revealing an institutional commitment to the anti-democratic suppression of information. The SPD’s effective weaponization of the PRA and institutionalized delays through understaffing, “grouping” requests, the use of personal cellphones to conduct official business, and negligent searches have effectively allowed the city to manipulate Overton Windows, moments of popular support for policy changes that certain department officials do not personally support. This institutionalized process within Seattle city government is antithetical to the intent of the PRA which states that “The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know.”
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		I support the proposed CR-102 rule changes that insert promptness and diligence as best practices in fulfilling public records requests, providing time estimates that are based on true searches and estimates rather than a self-manufactured backlog or agency understaffing problems, and routinely transferring public records from private devices to keep records in the public domain where they belong.
60.	Rosario Viera Public Information Officer Franklin PUD	 LTR 2026-067.pdf
61.	Jeff Chamberlin Superintendent University Place School District	I am the Superintendent of a mid-sized school district in the Puget Sound region. The Public Records Officer in our district is also my Executive Assistant. PRA work has historically been a small part of her daily workload. This has changed dramatically and poses significant challenges for our district. The number, size and complexity of PRA requests has exploded over the last three years. No designated funding is provided to complete public records work and every dollar and every minute devoted to PRA work is taken away from our core responsibilities as educators. I oppose the proposed rule changes because many/most of these changes have the potential to increase the time it takes to manage the requests. This is time we do not have to give. On our current trajectory, we will need to hire a designated, full-time PRA officer in the coming years. This will harm students as resources devoted to PRA will not be available for school or classroom support. <i>The proposed rule changes will only put more pressure on PRA officers and hasten our need to put more of our limited resources - resources meant for education- into PRA responses.</i> I am not opposed to providing records and understand the importance of the PRA. I would eagerly support systems that provide records to requestors more promptly. This can't be done, however, without designated funding (via apportionment or fees) and common sense rules and regulations to prevent abuse. We are already struggling to promptly and thoroughly fulfill the rapidly increasing stream of requests while also protecting the rights of minor students (FERPA) and respecting our employees who often are the subject of requests and/or have a significant role in identifying records. If we want the system to serve citizens better we can not just change the rules in favor of the requestors. PRA responses are a public service that require designated funding. If we are serious about getting better at it, we need to adequately fund it. I oppose the proposed changes to the PRA rules on these grounds. Thank you for the opportunity to give comment.

62.	Brianne King Executive Director Washington Association of School Business Officials	 WASBO - Public Comment on Propo
63.	Cheryl Xanthos City Clerk City of Redmond	 PRA Model Rules Comment Letter - Citi
64.	Joe Hathaway Public Information Officer Public Utility District No. 1 of Pend Oreille County	 Pend Oreille PUD Comments on Propo
65.	Julie Gunter	 AGO Rulemaking Public Input_6_30_20
66.	Cassidy Mueller Deputy City Clerk City of Issaquah	 City of Issaquah - 2026 Comments on
67.	Superintendents of the public schools in the ESD 112 Region Battle Ground Public Schools Camas School District Castle Rock School District Centerville School District Evergreen School District	 Proposed Revisions to Chapter 44-14 W/

Glenwood School District Green Mountain School District Hockinson School District Kalama School District Kelso School District Klickitat School District La Center School District Longview School District Lyle School District Mill A School District Mt. Pleasant School District Naselle-Grays River Valley School District Ocean Beach School District Ridgefield School District Roosevelt School District Skamania School District Stevenson-Carson School District Toutle Lake School District Trout Lake School District Vancouver Public Schools Wahkiakum School District	
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	Washington School for the Deaf Washington State School for the Blind Washougal School District White Salmon Valley School District Wishram School District Woodland School District	
68.	Cassidy Mueller as Chair and Board Member of the King County Municipal Clerks Association	I am reaching out as Chair and Board Member of the King County Municipal Clerks Association (KCMCA) this time. While we do not have our own letter to submit, please note that the KCMCA Board supports the letter submitted by the WA Municipal Clerks Association (reattached for convenience, if necessary).  WMCA Comments on Proposed PRA M
69.	Jesse Major Public Records Officer Clallam County	  Clallam County PRA Rules Model Rules Comment 6-30-26.doc
70.	Michelle Matassa Flores Executive Director The Seattle Times	  Media Rulemaking Attachment to Letter 6 30 26.docx Media Letter 6 30 26
71.	Peno Mclean-Riggs Paralegal Washington Innocence Project	I am writing in my personal capacity as a long-time legal professional in this community, currently serving as the paralegal for the Washington Innocence Project (WashIP). WashIP is a pro-bono legal services organization that provides legal assistance to people in prison who are factually innocent and can establish their innocence through newly discovered evidence. In my current role, I submit and track nearly all Public Record Act (PRA) requests on behalf of the organization

		and our clients throughout the state. Our ability to assist wrongfully convicted people throughout the state hinges, in part, on the thorough fulfillment of Public Record Act (PRA) requests by Washington agencies. I am deeply concerned about the elimination of all guidance regarding statutory exemptions in the model rules and the replacement of that guidance with a hyperlink to the Open Government Resource Manual that was last revised in 2016. Reference to an online resource manual last revised a decade ago—before many important legal decisions that have subsequently interpreted and clarified the PRA—is insufficient to ensure appropriate and efficient public access to government records is achieved. Even if all the exemptions cannot be named or described in the rules, at a minimum, guidance about exemptions generally should remain as a stand-alone section. The previous version of section (1) provides general guidance in plain language, stating that exemptions should be narrowly applied and that each instance of a withheld record, in part or in full, needs to be clearly explained to the requestor. That simple instruction is crucial to the fundamental tenants of the Public Records Act and its deletion is concerning. It should remain in the rules. Additionally, instructions explicitly banning the agency practice of “grouping” requests by the same requestor should be included in the proposed rules. Agencies that have not already faced costly litigation on this issue continue to process our requests this way, placing requests in protracted queues believing the law requires only that they work on a single request from our state-wide organization at a time. Delays in receiving records because of this practice could have devastating impacts for our applicants and clients. Our courts have been clear on this issue – grouping requests in this way is a violation of the Public Records Act. The AG model rules should include explicit language addressing this issue. In the context of post-conviction innocence work, an improperly applied exemption, a withheld record, or a delayed request could make the difference between an innocent person remaining in prison or returning to their lives in freedom where they belong. The act has massive implications for WashIP and for everyone in Washington. We urge you to take the above feedback into consideration in amending the model rules.
72.	Candice Bock Director of Governmental Relations Association of Washington Cities	 AWC comment Memo to AGO re Mc
73.	Trisna Tanus City Attorney City of Bellevue	 Ltr. to AG re Bellevue Comments_

	Charmaine Arredondo Deputy Director/City Clerk	
74.	Alexander Leavell OESD 114	A few thoughts from oesd114: • Board Policy Changes: We'll need to analyze & may need to revise Board Policy and procedures to ensure alignment with any changes to WAC 44-14. • All Staff Training: ALL staff will need to have some level of training in order to recognize a request if they receive one. Often, requests may not be obvious and do not clearly state that "this is a public records request." Would be great to discuss how we could best provide this training to ALL staff annually. • Unfunded/unreimbursed: Because the proposed changes add layers of complexity to an already complex unfunded mandate, would they also consider proposed funding for each district, ESD, and municipality to assist with the cost of ongoing compliance training for staff & to reimburse the hours of staff time spent fulfilling requests? Often, an agency assigns the records request fulfillment task to a staff member who may not have training or know how to interpret the law based on the specific nature of a request. This could open up additional risk. • Cost: ○ Unless \$100k/year is expended by a district or ESD to fulfill public records requests (staff time, tech time, legal fees, software), the overall cost to an agency is not considered significant. There are a couple of years when OESD spent a significant amount of time, effort, and legal fees to fulfill requests, but still shy of \$100k. ○ Because agencies cannot charge a requestor for anything but minimal "copy costs", there are no consequences for making as many requests as they desire, whether they actually want the records or not. Example: an ESD or district can expend \$20k (staff time, tech time, legal fees, software) to fulfill a request and might be able to request a few dollars in return for "copy costs" for electronic transmission of records. At any time, a request can significantly increase workload with no return for students, staff, or the agency. • Staffing: For agencies and districts, it's extremely difficult to plan for & maintain adequate staffing for Public Records Fulfillment. Requests may arrive in multiples, and sometimes a month or so will pass without receiving a new one. Time is of the essence with each request and staff must be available to respond as soon as a request is received, regardless of other duties. Some requests are simple to fulfill, although most of the requests we receive at OESD require all of the following: ○ a Public Records Officer with training & expertise on managing & coordinating the entire system, and to monitor changes in the requirements/law, adjusting agency systems for compliance ○ a Network Services expert on running Boolean searches ○ an attorney with expertise on PRRs

		○ support staff members with expertise on exemptions & knowledge of what documents they are reviewing & what questions to ask & ample time to review sometimes tens of thousands of records. Tech skills & ability to convert records according to specifications. ○ All parties involved must be able to keep the highest level of confidentiality because they are reviewing documents with potentially protected information. Typically, the tasks are layered on top of an already full-time job. • Risk: a requestor may choose to file a lawsuit against a district or agency and receive monetary compensation for any part of the law that may not have been perfectly followed (i.e. request wasn't acknowledged within five days or all required details were not included in the 5-day letter, or fulfillment was missing one page of a responsive document), sometimes resulting in significant cost to the district/agency in addition to the cost of fulfillment already incurred. Or, documents with protected information may have been disclosed, potentially causing additional risk.
75.	Otto Pointer	https://workdrive.zohoexternal.com/file/dqftz32939510e358428a8da425b7879908da
76.	Rachel Davenport Superintendent North Kitsap School District	On behalf of the North Kitsap School District, I appreciate the opportunity to comment on the proposed amendments to Chapter 44-14 WAC, the Public Records Act Model Rules. While North Kitsap School District is submitting these comments independently, I have spoken with several fellow superintendents throughout our Educational Service District, and these concerns are widely shared. Our discussions reflect a common understanding that, while we all strongly support government transparency, public accountability, and timely access to public records, the proposed revisions would create significant operational and administrative challenges for school districts across Washington. We recognize that the Attorney General's Model Rules are advisory. However, in practice, they often become the standard against which agencies are evaluated by requesters, attorneys, auditors, and the courts. As a result, these proposed revisions carry significant practical implications. Several of the proposed changes would create substantial administrative, staffing, training, technology, and financial burdens for school districts, particularly for districts where public records responsibilities are managed alongside many other essential operational duties.

	Transfer of Records from Personal Devices and Personal Accounts The proposed expectation that public records created or received on personal devices or personal accounts be transferred to district-controlled systems presents significant implementation challenges. School districts employ hundreds of staff members serving in a wide variety of roles, including teachers, principals, paraeducators, coaches, transportation staff, substitutes, administrators, and school board directors. Developing procedures to ensure records are consistently identified, transferred, and retained across such a decentralized workforce would require extensive policy development, staff training, ongoing monitoring, and, in many cases, additional technology investments. The primary burden is not simply transferring records—it is the substantial amount of unreimbursed staff time required to educate employees, monitor compliance, and verify that records have been appropriately preserved. Third-Party Notice School districts routinely maintain highly sensitive records involving students, families, and employees, including educational records, special education files, medical information, personnel investigations, safety plans, and records concerning minors. The proposed revisions appear to narrow an agency's ability to provide notice to affected individuals unless the agency has already concluded that records are arguably exempt. In practice, districts often determine that providing notice is appropriate even when the legal basis for withholding records is uncertain. Third-party notice provides students, families, and employees the opportunity to understand that records affecting them have been requested and, when appropriate, seek judicial review. School districts should retain reasonable discretion to provide notice whenever disclosure may impact an individual's privacy, safety, or legal interests. Triage and Prioritization The proposed use of "simple" and "complex" processing tracks, coupled with consideration of requester-identified urgency, would require districts to establish entirely new intake procedures, prioritization standards, and documentation practices. The complexity of a request is often unknown when it is received. A request that initially appears straightforward may later require extensive searches, legal review, redactions, or third-party notice. Likewise, many school-related requests
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	involve matters that requesters characterize as urgent, including board meetings, student safety, personnel issues, elections, collective bargaining, litigation, or media inquiries. Public records officers should not be placed in the position of determining whose request is more urgent while simultaneously managing existing requests and supporting district operations. School districts need flexibility to process requests based on available staffing, legal obligations, operational demands, and the overall complexity of the request. The proposed rules risk creating a subjective prioritization process that may inadvertently disadvantage some requesters while creating perceptions of unequal treatment. Five-Business-Day Production Expectations The proposed revisions would make the initial five-business-day response more individualized by requiring agencies to evaluate factors such as request volume, record availability, and requester-identified urgency. In addition, the proposal establishes a five-business-day production target for requests characterized as "simple." However, a request for a single record is not necessarily simple. One record may consist of an investigative report, video footage, extensive email correspondence, a student educational file, or personnel records requiring legal review, redaction, consultation with counsel, or third-party notification. School districts also must comply with numerous federal and state confidentiality laws protecting student education records, special education information, health information, and employee records. Establishing a presumptive five-day production expectation may unintentionally prioritize speed over accuracy, privacy protections, and careful legal compliance. For districts without dedicated public records staff, these requirements would create additional case-by-case analysis, documentation, and follow-up responsibilities that existing staff simply may not have the capacity to absorb. Washington's school districts vary greatly in size, staffing, financial resources, technology, and organizational structure. Expectations that may be feasible for larger state agencies or urban districts may be impractical for smaller and rural school districts. Decentralized Request Intake The proposed revisions also appear to reduce an agency's ability to direct requesters to designated public records officers or established records request portals.
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	School districts operate across numerous schools, departments, and facilities. Requests may be submitted to teachers, principals, office staff, coaches, administrators, board members, or general district email accounts, many of whom have no responsibility or training related to processing public records requests. Districts should continue training employees to recognize and promptly forward public records requests. However, agencies should also retain the ability to establish and clearly communicate official intake channels. Centralized intake supports timely acknowledgment, consistent tracking, legal compliance, and reliable communication with requesters. Unfunded Administrative and Staffing Burdens Public records compliance already requires substantial staff time and resources. In many districts, these responsibilities are assigned to superintendents, executive assistants, communications staff, human resources personnel, or other administrators who also manage numerous operational responsibilities. Many districts have no dedicated public records officer, in-house legal counsel, or specialized records management system. Collectively, the proposed revisions would introduce new expectations regarding request intake, prioritization, employee training, personal-device records, installment production, third-party notice, exemption documentation, and closure correspondence. While each requirement may appear manageable individually, their cumulative effect would significantly increase administrative workload and legal risk. These additional obligations would require more staff time, legal consultation, training, and technology investments without any identified funding source. For school districts already operating within limited budgets, these costs necessarily divert resources from instruction, student services, school safety, and other core educational responsibilities. Exemption Explanations School districts frequently receive requests encompassing broad categories of records protected under the same exemption. For example, a request for all records related to a particular student may involve hundreds or thousands of documents protected by federal and state confidentiality laws. Requiring a separate explanation for every individual withheld record would provide little additional value to requesters while substantially increasing staff time and legal review. Allowing agencies to provide a single explanation for groups of records withheld under the same exemption would better balance transparency with efficient administration.
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		Thank you for considering these comments. North Kitsap School District remains committed to transparency and public accountability while ensuring compliance with the Public Records Act in a manner that is practical, legally sound, and sustainable for school districts of all sizes. Although this letter is submitted on behalf of North Kitsap School District, I respectfully note that the concerns expressed here reflect conversations with and support from several superintendents within our Educational Service District who share these operational concerns. We encourage the Attorney General's Office to carefully consider the cumulative impact these proposed revisions would have on Washington's public schools before adopting the final rules.
77.	Nicole Coyote	A strong Public Records Act is vital to government transparency, and transparency is absolutely essential for the public to trust it has a healthy, fair government. With that in mind, I ask that when you approve changes to the model rules guiding that law, you will make sure these elements are covered properly. Make sure the word “prompt” remains in place within the rules as a strong guidance to agencies that the public has a right to access non-exempt government information as quickly as possible. If the complications stem from disorganized or hard-to-find records, remind the agencies of their responsibility to keep documents organized so that they can be retrieved promptly. It makes sense to triage requests so that simple ones do not get lost for unreasonable lengths of time behind complex ones. Poor staffing and disorganization are no excuse for interfering with the people’s rights to access information about their governance. In the same spirit of fast action, it seems reasonable that records involving single documents should be provided within two business days. The initial five-day response time is better-suited for gathering information to explain why a record could not be produced almost immediately. Third parties should never automatically be notified that someone has requested a record that mentions them or their interests. Exemptions cover what can be withheld. If something is not clearly exempt, the agency should either err on the side of the public or seek clarity, perhaps from the Attorney General’s public records department. Giving a third party a chance to contest a document release in court without a clear exemption is a waste of public resources and interferes with the public’s right to prompt information about public documents. If a record request will not be fulfilled as requested, the requester <i>must</i> be notified, and if the case is being closed, the requester <i>must</i> be notified and told that the one-year time frame for judicial review has begun. If that notice is not given, the time frame for review becomes moot. As a Washington resident who worked as a public servant in a different state, I appreciate you considering my thoughts on the public’s right to know along with my belief that the culture within government must be built on the foundation of service to the public.

78.	Tony E. Beattie Senior Deputy City Attorney City of Spokane Valley	 City of Spokane Valley_Comments or
79.	Jay Brower Superintendent Eatonville School District	 Letter to AGO 06.2026.pdf
80.	Mike Fancher President Washington Coalition for Open Government	 WashCOG Model Rules rulemaking let
81.	Kathy George Attorney Johnston George LLP	 K. George comments 6 30 26.p
82.	Patty Dowd Public Records Officer Mukilteo School District	I am writing to express my concerns regarding the proposed changes to the model rules for the Public Records Act, Chapter 44-14 WAC on behalf of the Mukilteo School District as an employee who is responsible for responding to public records requests on a regular basis. My overall feedback is that these changes to the model rules would set unrealistic expectations for smaller public agencies, such as our school district, when it comes to responding to public records requests and would create an undue burden for us and other similarly situated public agencies. Public school districts across the state are provided no additional resources to meet the administrative burden of responding to records requests under the Act, and the proposed changes would serve to further strain our district's limited resources, taking more of those resources away from our primary purpose of educating students. While we are dedicated to transparency as a public agency, I respectfully ask the Attorney General's office to reconsider the proposed changes to the model rules. I will address the proposed changes to each WAC provision with which I have concerns.

	WAC 44-14-030(3): The proposed changes to this section requiring employees to transfer public records on personal devices or in personal accounts to work devices or accounts within five business days or as soon as practicable in unusual circumstances would require comprehensive training of all of our staff, which alone would constitute a significant administrative burden. Furthermore, administration would be forced to constantly remind our staff to do so and monitor compliance with this requirement. Our agency would also be required to implement technological solutions to implement this transfer of records for all employees across the school district, which would be a significant administrative burden to implement, sustain, and monitor. In an ideal world all staff would only conduct school district business on agency devices, however, we simply do not have the resources to provide all of our staff members with mobile devices for agency use. Additionally, the nature of public education often requires our employees to work on the weekend and after hours, which is inevitably done, at times, on personal devices. It would be nearly impossible to ensure compliance with this requirement, so it would surely expose our school district to additional liability under the Act. WAC 44-14-030(4) and WAC 44-14-03006: By no longer requiring requestors to submit requests for records under the Act to a designated person, the chances that a staff member will not recognize a request for a document, such as a student record, as a Public Records Act request will expose our school district to additional liability under the Act. It is unrealistic to expect all staff members to be trained on the nuances of the Act without additional training, which would create a significant administrative burden for our agency. WAC 44-14-040(1). It is unrealistic to expect public agencies such as ours to complete responses to requests for a record in five business days. We do not have the budget to have an employee whose sole task is responding to records requests. Even if we did have the resources to have an individual who was one hundred percent dedicated to responding to requests, many records are quite lengthy and require a detailed analysis to determine if there is any exempt information in the record that must be redacted. This analysis often requires consulting with legal counsel and, should redactions be necessary, creating an exemption log to explain necessary redactions. Further, while agencies such as ours do prioritize smaller requests over the completion of larger, more complex requests, smaller requests are not necessarily less complex when it comes to this analysis. We certainly do strive to devote sufficient staff time to ensure prompt responses, however, the volume of requests can vary from month to month and year to year, and it is not possible to have sufficient staff who are trained experts in responding to requests to ensure there are never backlogs in responding to requests. WAC 44-14-040(3). Expecting agency staff to evaluate whether “time is of the essence” in responding to a request sets up all individuals tasked with responding to requests for failure, as it is an entirely subjective and ambiguous standard. Nearly every individual who submits a request believes that time is of the essence for their particular request. This subjective standard proposed in the changes to the model rules would be quite difficult, if not impossible, for public records officers to evaluate. Further, there are already other laws and regulations allowing records to be shared in cases of urgent health and safety issues outside of the scope of the Public Records Act. While we often seek to work with requestors to provide records they seek in the timeframe they request, requiring the public records officer to have
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	extensive back and forth with a requestor to identify and prioritize individual records places an additional administrative burden on the agency under what is already an unfunded and burdensome statutory scheme. WAC 44-14-040(4). Expecting an agency such as ours to provide a specific explanation for each record fully denied creates an undue burden when responding to requests. For example, if a requester asked for all records regarding a particular student, which are all categorically exempt from production pursuant to the Family Educational Rights and Privacy Act, this change would require potentially thousands of individual explanations for a class of records that are squarely exempt from production. WAC 44-14-040(6). It is also unrealistic to expect agencies such as ours to determine if disclosure of a record “may affect the rights of others” when evaluating whether third-party notification should be provided. The “right to privacy” (RCW 42.56.050) is not clearly defined in the Public Records Act, and is necessarily determined by case law. Restricting the ability of individuals to be notified that records related to them will be disclosed to situations where the agency has a reasonable belief that the records are arguably exempt from disclosure would limit the ability of individuals to seek judicial review of this standard and would inevitably lead to the privacy of individuals being violated. WAC 44-14-040(8). Requiring the time period for inspection of records to be “an agreed period” is not a workable standard for public agencies. The agency and requestor may not reach agreement on this period, creating an untenable situation. This change will inevitably lead to more litigation under the Act. WAC 44-14-040(12) and WAC 44-14-04006(1). Together, these changes require a more formalized closing process, even for the simplest requests. Again, these changes create an additional administrative burden on our agency, which is already provided inadequate resources to respond to records requests. As public schools around the state continue to struggle to educate our students with the limited resources provided by the state, the proposed changes to the model rules would consume additional resources that would inevitably be taken from those that go to directly supporting students. The additional time that will be required to monitoring compliance with these changes would redirect time away from activities that have lasting, positive impacts on our students. Thank you for considering my comments on the proposed amendments to the model rules for the Public Records Act. I hope that you understand the additional burdens and difficulties that these amendments would impose on smaller public agencies such as ours.
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83.	Grant Storey Superintendent and CTE Director Methow Valley School District	Methow Valley School District supports the goals of the Public Records Act and is committed to transparency and timely public access to records. However, we are concerned that the proposed revisions to WAC 44-14 will create significant operational challenges for small school districts with limited administrative capacity. Our district already manages a high volume of public records requests with a very small administrative team. Public records work is handled primarily by our HR/Benefits and Contracts office and the Superintendent, often requiring costly consultation with legal counsel to ensure compliance. The proposed changes would add substantial new administrative requirements without providing additional resources or funding. Particularly concerning are the expanded requirements related to records on personal devices, broader recognition and routing of requests across the organization, additional communication and documentation requirements, and more formalized closure and third-party notification processes. Many school administrators routinely use personal cell phones for work because districts often lack district-issued mobile devices or comprehensive communication management systems beyond basic services such as Google Voice. Requiring records from personal devices to be captured and transferred within prescribed timelines will be difficult to administer consistently and will require new policies, training, monitoring, and compliance systems that are beyond the capacity of many small districts. For districts like ours, these changes would shift valuable administrative time away from supporting students, staff, hiring, contracts, and day-to-day school operations and toward increased records management responsibilities. We respectfully encourage the Attorney General's Office to consider the disproportionate impact these requirements will have on small rural school districts and to provide greater implementation flexibility or scaled expectations for agencies with limited administrative resources.
84.	JoLynn Berge Deputy Superintendent Northshore School District	 AG rulemaking comments 6.30.26.docx
85.	Jim Simon	As a veteran journalist and open government activist, I am appreciative of the AGOs long-needed proposal to revise and update model rules for the Public Records Act. I am particularly supportive of the proposals that encourage agencies provide “prompt” responses to records requests. Long delays are costly, unfair and can often make the information useless once it is released. I urge the AGO to hold firm on “promptness” guidelines if local governments and others try to weaken the language.

		I also support the position of the media petitioners, who are calling for reverting back to the earlier proposed revisions to the Model Rules. That version provided stronger protections for timely access to public records.
86.	Martin Turney Chief of Finance and Operations Issaquah School District	 Alliance PRA comment letter 2026
87.	Joe Kunzler	 2026-06-30 JAK PUBLIC RECORDS M
88.	Stuart Jenner	Comments on the proposed rules: 1. The public records act is very important. 2. It is very hard as a citizen filing records requests to know what's realistic. I got some very good advice from a records officer. I thought I needed to cast a very wide net. She said it is actually better to file narrower requests. a. I suggest it might be helpful to have a "suggestions" area, of suggestions that public records officials can provide to requesting parties. 3. One of the challenges is that when a request is deemed "closed" by the agency, the requester has to file a new request. a. The people who are fulfilling the request often do not respond to questions or clarifications. b. This leads to confusion and a perception that the agency is stonewalling. c. Is this worth addressing in the formal laws and procedures? d. Is there any way to improve this situation? 4. The changes talk about "prompt disclosure." I have heard of other volunteer reporters stating they are told "we can fulfill this request in six months." a. I would suggest requiring updates each month for outstanding requests. b. I would suggest it would help for the records person to say WHAT is going to take the length of time. Maybe there are some ways to simplify the request. Can the person fulfilling the request provide feedback along these lines? 5. Another comment on "prompt." Some situations have very short deadlines. If there's a vote in November, filling the request in the following April is NOT helpful. a. Is there a way requesters can say WHEN they want the request answered? Or WHY it is urgent?

		b. I don't know who would say yes this is urgent, no it is not. Who judges? That said, most of the time, I think both requester and fulfiller can be reasonable. 6. The wide variety of messaging options leads to a lot of potential for confusion and obfuscation. a. I think it is best to give examples, such as X, Instagram, messaging via mobile or desktop, but also, in a few years, there may be something new. 7. It is hard to know how private a request is. I am wondering if there are consequences or potential retaliation against the person who's making the request. 8. There have been some instances on fees where I literally had to pay a dime. I could not make the transaction online, so I brought in the dime. Unfortunately, it got lost so I did not get my info as soon as I wanted. a. I would like to suggest that any fees of less than a dollar be waived. b. The costs for the fulfilling agency may be greater than the money received. 9. Ombudsman a. I wish the state attorney general office or someone somewhere could provide guidance in case there are potential issues of non compliance with the RCWs. I mentioned the support I've received from WACOG. They are mostly volunteers, stretched thin and I wish I knew who else to go to.
89.	Ryan M. Gompertz Assistant City Attorney City of Kirkland	 063026 City of Kirkland Comment P
90.	Michele Matassa Flores Executive Director The Seattle Times	Thank you for your time today, and for the work you've put into this important update of the PRA's model rules. I'm the Executive Editor of The Seattle Times and I also speak today as a representative of the media petitioners who proposed this update. The latest proposal makes good progress toward clarifying and strengthening the rules. We appreciate Attorney General Brown's support of the Act and of transparency in government. We launched this process because of a disturbing pattern of public records requests being inappropriately denied or delayed, often due to agencies misunderstanding their legal obligations or misinterpreting guidelines that were vague in some places. We understand the need for compromise and for the attorney general to consider feedback from public agencies, which often are working with small staffs and under difficult circumstances. We believe this current set of revisions does improve the existing rules, but it falls short on a few key points. We've submitted comments that detail those points, and I'd like to highlight a few things here. In sections addressing how agencies should provide the "fullest assistance" the latest revision adds subjective qualifiers that weaken the rules. Specifically: • The rule now says an agency must aim for a five-day turnaround if a record is deemed -- quote -- "available." But what does that word mean?

		• The same section also says quick action is necessary only if a record requires “<i>limited</i> review for exempt content.” “Limited” is not defined. • This draft also would allow agencies to decide what timeframe is “reasonable” for quick action. These vague words do not align with the text of the law itself. Finally, and very importantly, I’d like to address the section on third-party notice. We believe the current revision, while an improvement over the existing model rule, will still encourage fruitless lawsuits that waste the resources of everyone involved. The rule should parallel the language of the statute itself, which imposes a strict test for injunctions. For example, it says the seeker of an injunction must prove that disclosure “would clearly not be in the public interest” and “would substantially and irreparably damage” any person or vital government function. We strongly urge you to revisit this language and tighten this section to comport with the law. This is not an esoteric or academic matter for news organizations. We are dealing with a tide of third-party lawsuits seeking to block release of records for no good reason. These cases are almost always without merit and prove unsuccessful, but only after months and years of delays and legal bills that threaten grave danger to news organizations already facing existential financial crises. At The Seattle Times, we had to spend about \$60,000 to defend against a meritless third-party injunction lawsuit by Eastside Catholic School football players who were accused of raping a fellow student. This case was clearly in the public interest. We were reporting on prosecutorial decisions, and we weren’t seeking to name the players. We won at the lower court and on appeal. And still, the suit against us, filed on behalf of John Does after a third-party notice issued by prosecutors, lasted more than two years until the state Supreme Court denied a petition for review in March 2022. Disclosure of those records was held up the entire time the case wound through the courts. That delay was not in the public interest, and the expense – only one example of multiple such cases we have faced at The Times -- cut into our ability to staff our newsroom and inform the public. For a smaller news organization, such expenses can mean the difference between staying in business or closing for good. We urge you to maintain the high bar for third-party challenges as provided for in the statute and in your prior rule proposal. And we appreciate you moving forward with these proposed Model Rule updates.
91.	Kristina Macarro Director of Communications/Public Records Officer South Whidbey School District	 2026 06 Letter to AGO re PRA.pdf
92.	Julie Gunter	Please see below as an addition to input sent earlier today.

		I would also like to request consideration of guidance relating to requiring payment for records—advising against requiring payment by check or in person for invoices with a total MORE than the cost to process that same payment. Or, if agencies insist on requiring payment for installments as little as 5 cents, such as has been the case with all invoices for installments of 5 cents or more, provide guidance on how to reduce added costs and burdens associated with requiring payment via check or in- personfor such small amounts, which could include an online payment option. It appears that the agency practice of requiring payments via check or in person (which can pose more barriers for many requestors due to living far from Olympia or not having access to a checking account) for totals more than cost to process the payment is ironically costing agencies and taxpayers money and staff time—which is the opposite of government efficiency and serving as responsible and cogent stewards of public funds and resources. AGO’s own practices in respect to not charging payment for installments that are more than the cost of processing them can provide helpful guidance to agencies that are choosing to spend additional money and staff time on this practice. A recent Seattle Times article further raised concerns about requiring and sending check payments which increasingly increases the potential for higher fraud risk for the public and agencies. I struggle to understand how agency practice of requiring payment for installments with totals that are MORE than the cost to process them aligns with the PRA or common sense (ie., by increasing burdens, barriers, risks, and inefficiencies, waste—indeed, this practice does not.  Millennial Money- Stop using paper ch
93.	Logan Noel-Endres Director of Strategic Advocacy Washington State School Directors’ Association	On behalf of the Washington State School Directors’ Association (WSSDA), I’m writing to share public comment with concerns about the proposed revisions to chapter 44-144 WAC, the Attorney General’s Model Rules regarding the Public Records Act. WSSDA is a non-partisan, self-governed state agency that represents all of Washington’s 1,477 locally elected school directors. While Washington’s public schools remain committed to upholding transparency, accountability, and compliance with the Public Records Act (PRA), we anticipate challenges at the school district level if these proposed changes are implemented as is. Concerns have been detailed extensively in public comments submitted by our colleagues at the Washington Association for School Administrators (WASA), so in summary and alignment with them, we respectfully request that any final revisions:

		1. Clearly state that the Model Rules are advisory, nonbinding, and do not create legal duties beyond the PRA; 2. Clarify that failure to follow a specific model-rule recommendation does not, by itself, establish that an agency violated the PRA or acted unreasonably; 3. Preserve agency flexibility to use centralized intake procedures and designated public records officers, email addresses, offices, or portals; 4. Recognize that implementation must vary based on agency size, staffing, and operational capacity; and 5. Allow simplified procedures for small, routine, or fully completed requests where more formal communications are necessary. Thank you for the opportunity to share feedback. We hope you will thoughtfully consider the needs of school districts and adopt final rules that are realistic, scalable, and implementable in all areas of Washington state.
94.	A Washington State Public University Requester	This comment is submitted anonymously. I am not including my name or contact information, as permitted under the Washington State rulemaking process. I am submitting these comments as a lay person who has spent more than two years navigating the Washington State Public Records Act. My experience illustrates why the proposed amendments matter and why additional guidance would benefit both requesters and agencies. Closing Letter Requirements The proposed amendments to reflect Cousins v. Department of Corrections are necessary and overdue. My request was specific and detailed, identifying particular custodians, date ranges, and categories of records across multiple distinct subject matters, including policies and procedures that should have been readily available. The closing letter I received: (i) described the request in terms that differed from every prior stage letter, omitting a specific date that had appeared consistently throughout the production, leaving no basis to confirm which item or request the closing letter was actually addressing; (ii) characterized the production as only partially responsive; and (iii) recited that a one-year statute of limitations exists without stating that it had begun to run on the date of that letter. I asked several people with different backgrounds and levels of education to review the letter, and none of them could determine with confidence whether the request had been fulfilled, whether the limitations period had started, or whether there was anything left to follow up on. A reasonable lay person reading that letter is left without the information needed to protect their own rights.

	The Municipal Research and Services Center of Washington published guidance in May 2024 advising all agencies to review their closing letter templates to ensure compliance with the Cousins standard. That guidance was clear and publicly available, and the proposed model rules would codify what it already recommended. They should be adopted. The Public Records Act and Information Asymmetry If transparency is the purpose of the Public Records Act, then the Act must close the gap in information asymmetry that an unclear closing letter creates. The burden of understanding one's rights should not fall entirely on the individual requester. Imagine someone without research skills, without a network to consult, or without the resources to spend months finding the right guidance independently. For that person, an insufficient closing letter is not a procedural inconvenience. It is a door quietly closed without their knowledge. The proposed amendments are an opportunity to change that. Communicating Requester Rights I discovered my right to petition for internal review, my right to seek AGO review of specific exemption claims, and the availability of alternative dispute resolution entirely through my own independent research. Not one of these rights was communicated to me in the closing letter, in any stage letter, or in any subsequent communication from the public records office. I spent months finding what I should have been told at the outset. Washington voters passed the PRA more than 50 years ago on the principle that people do not yield their sovereignty to the agencies that serve them. That principle cannot be realized if requesters do not know what recourse is available when a request is inadequately fulfilled. Communicating these rights is not a burden on agencies; it protects both sides. A requester who knows they can petition for internal review may do so instead of filing a lawsuit. A requester who knows alternative dispute resolution is available may choose mediation over litigation. Clear communication reduces uncertainty and cost for everyone. A Gap the Proposed Rules Do Not Fully Address The proposed rules improve what agencies must communicate in closing letters, but a requester who receives an insufficient closing letter still must know to challenge it. I discovered my available remedies only because I happened to find the right guidance on my own. The proposed rules should also require agencies to include a brief notice at the time a request is first acknowledged, not only at closing, informing requesters of the mechanisms available to them if they believe their request has not been fulfilled. A requester who does not know these mechanisms exist cannot use them, and a closing letter that fails to communicate them leaves the requester without recourse unless they find the information themselves. That is not the fullest assistance the law requires.
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		The Challenge of Multi-Item Requests The proposed rules do not address the specific challenges of multi-item requests. A closing letter that addresses one item of a detailed, multi-item request may reference the Cousins elements as to that one item while leaving the remaining items entirely unaddressed. The proposed rules should clarify that a closing letter must account for all items in a multi-item request, not just the item or items that received a response. Without that clarification, agencies may continue to close multi-item requests by referencing only a portion of what was requested, leaving requesters without recourse as to the remainder. A related gap concerns what agencies must communicate when a requester raises follow-up concerns after a request is purportedly closed. The model rules require agencies to produce later-discovered responsive records and notify the requester, but they do not specify what an agency must communicate if it reviews its file in response to a follow-up inquiry and concludes no further response is warranted. A requester in that situation has no way to know whether the agency looked and found nothing, or simply did not respond. Requiring a written response to any follow-up inquiry, even a brief one confirming the agency's position, would give requesters the information they need to decide whether to seek judicial review. Exemption Log Specificity The proposed rules require agencies to briefly explain how an exemption applies when withholding a record. In practice, agencies sometimes use numeric codes to identify exemptions without specifying the underlying statutory provision, or use the same code to refer to different provisions across different stages of a production. A numeric code that maps to different statutory subsections in different installment letters does not allow a requester to assess whether an exemption was properly applied. The proposed rules should clarify that exemption logs must identify the specific statutory subsection, not merely a numeric code, and that the same code must refer to the same provision consistently throughout a production. How Clearer Rules Help Agencies Clearer rules benefit agencies as well as requesters, and this is especially true for smaller agencies with limited public records staff. Clarity reduces the volume of follow-up inquiries, disputes, and litigation that consume far more staff time than a brief acknowledgment notice or a properly structured closing letter would require. When requesters understand their rights and the status of their requests, they are better positioned to pursue the appropriate remedy rather than defaulting to litigation. An agency that communicates clearly at the outset, including the availability of internal review and alternative dispute resolution, gives both sides an opportunity to resolve disputes before they become lawsuits. The PRA works best when it works for everyone.
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		What Existing Institutional Rules Reveal A review of public records processing rules adopted by Washington public agencies under the model rules framework shows that agency closure procedures consistently address abandonment and nonpayment but do not address the obligation to account for all items in a multi-item request at closure. The proposed model rules have an opportunity to fill this gap. Existing institutional rules have not addressed it because the model rules themselves have not required it. Summary I support adoption of the proposed rules and encourage the AGO to consider the additional guidance suggested above, particularly the notice requirement at acknowledgment, the clarification on multi-item requests, and the exemption log specificity requirement. These changes would bring the rules closer to the fullest assistance the law already requires and that every requester deserves.
95.	Wendy L. Snider Public Records Specialist Everett Public Schools	My name is Wendy Snider, and I am writing on behalf of Everett Public Schools as the district's designated Public Records Officer, to express our concerns with the proposed changes to the model rules. While these changes appear well intentioned and aim to provide records to requesters in a timelier fashion, these changes may in fact hinder our ability to do so, as many of these changes come at the cost of additional administrative work without additional resources to accomplish them. As a public agency, I'm sure the AGO's office is aware that public records compliance does not only impact the public records officer. It requires collaboration among staff at our schools and departments in every corner of the district. Every new requirement creates additional steps, documentation, communication, and training responsibilities. As a school district, our primary focus is our students. Time spent by school and district staff on public records requests or compliance activities is time that cannot be spent on our students. Of most significant to the district are the proposed changes regarding personal devices and account capture and the creation of two separate tracks for handling public records requests. Those two proposed changes are noted first as follows. Personal Device & Account Capture This proposed change would require districts to transfer/copy district-related records created on personal devices and accounts to district systems within five business days or as soon as practical in unusual circumstances. This shifts the current burden on staff to review and certify whether they have district-related documents on personal devices, to the district to determine whether such documents exist and all points in time and ensure that such documents are retained. This will have a significant impact on the district in both time and resources, but without additional financial support to

	school districts. It may also require additional server and storage capacity, significantly impacting smaller districts without the necessary financial resources to increase IT-related equipment and services. The proposed change will also require additional new district-wide staff training, reminders that district policy and procedure prohibit the use of personal devices to conduct district business, and re-training people to use other forms of district communications to conduct business. Creating procedures regarding how to gather district records on personal devices and transfer them to district devices, staff responsibilities, the required timeline, how to determine which records are subject to retention and transfer, and how to conduct periodic checks to ensure we are in compliance, etc., will also be necessary. This will also require more time of already overloaded public records staff to perform these new duties, as well as manage the process and ensure compliance. Triage Process for Requests This proposed change requires staff to identify and categorize requests into simple or complex categories, with a production target for single identifiable records within five business days. While we already process small and easy to handle records quickly, there is now an expectation to conclude these requests within the first five days of receiving these requests and logging them separately from larger more complex requests requiring an extended track, which eliminates the necessary flexibility that public records currently have when handling requests. Many of the decisions made in triage and prioritizing requests are subjective in nature, and without further clarity and instruction on how or when to triage a request for priority over others, districts and other agencies should receive indemnity from any litigation arising from the judgment of staff making these decisions. It is likely that additional tracking of these requests will need to be maintained to document why a request was given priority, what other requests may have been impacted by the prioritization of those requests and whether or not communication was provided to those impacted, and any other documentation that could be used in defense of the district's decision making (such as how many other requests were open at that time, how much FTE was devoted to PRO at that time, etc.) should litigation arise from the decisions made in prioritizing requests. This creates even more additional administrative documentation tasks, taking away much needed time to actually process requests. Expansive Request Intake Districts can no longer require a requester to submit a request to a specific individual, and requests can be received through other staff members. The impact is additional time spent training staff to recognize and properly route public records requests. This also increases the risk to districts if a five-day response is missed and increases the risk of potential fines if a staff member fails to identify a request and no response is provided. Initial Response Requirements Before the initial five-day response, districts would be required to determine the nature, size, and availability of records for a request, and must consider if time is of the essence for the requestor. If production of records is not practical in the requestor's time frame, the public records office is required to work with the requestor to identify and prioritize individual records. This creates additional communication burdens and requires more individualized documentation of why a request
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		can or cannot be produced in the timeframe asserted by the requestor. This also contradicts the statutory language that all requestors be treated the same. Formalized Third-Party Notification Requires that districts must reasonably believe records are arguably exempt from disclosure before notice is sent and requires that a copy of the request is sent with the notice. In addition, it expressly requires notice be sent when required by law, including employment-related records requests. Impacts to staff include additional time to process, manage, and track these notices. Release of Records in Installments Installments are no longer tied to just large requests, and staff may be required to produce installments of records for smaller requests as records become available to aid in prompt production of records. The result is more burdensome workflow for requests with multiple productions, more installment notices, more tracking, and more follow-up if the requestor reviews some installments but not others. Demanding Closure Process Specific detailed language must be used in closing public records requests, including the reason for closure, the closure date, the fact that the agency will not further address the request, the start of the one-year judicial-review period, and the requestor's ability to ask follow-up questions within a reasonable time. This requires multiple closure templates for various types of closure.
96.	Stephanie Santos Open Government Manager Office of Risk Management Services, King County	 20260630- King County Executive Br
97.	Otto Pointer	 Otto Pointer Oral Comments PRA Rule
98.	Andrew Tsoming Assistant City Attorney City of Lake Stevens	 Model PRA Comment Letter - La
99.	Julie Gunter	Also, I intended to clarify that the referenced 5-cent and up (but largely under \$1) invoices that appear to be costing agencies more than the invoice amount to process are associated with installments produced by OSPI since it began

		requiring payment for installments last year. I believe other agencies including AGO and the SAO refrain from charging for records in cases where the total is more than amount it costs to process payment, which makes logical sense. I think all would agree that it would be in the state's and public interest to provide guidance for this aspect of records management/production process that increases government efficiency and reduces extra and unnecessary barriers and costs.
100.	Ramie Pierce	Although I unfortunately missed the formal deadline for public comment due to other commitments, I hope you will consider one additional suggestion as you continue reviewing the proposed revisions to the Public Records Act Model Rules. I offer this comment from the perspective of both a former local government employee and an active citizen researcher who regularly works with public records from state and local agencies. The proposed Model Rules appropriately focus on improving public access to records. I respectfully suggest that they might also encourage agencies, when practical and reasonable, to facilitate meaningful communication between members of the public and knowledgeable agency personnel. There are many situations in which a requester cannot reasonably identify the records they need because they do not yet understand an agency's organizational structure, historical practices, terminology, or recordkeeping systems. In these circumstances, a brief conversation with an appropriate employee can often accomplish in minutes what might otherwise require weeks of correspondence, multiple revised requests, unnecessary searches, or avoidable frustration for both the requester and the agency. I recognize that agencies have finite staff and resources and that meetings cannot always occur immediately—or in some cases, may not be appropriate. My suggestion is not that every requester should have an absolute right to an immediate meeting. Rather, I encourage the Model Rules to recognize the value of direct communication as an important public service and to encourage agencies, when practical and reasonable, to provide opportunities for consultation or referral to knowledgeable staff. Equally important is timely communication regarding such requests. One of the greatest frustrations for members of the public is not necessarily waiting for assistance, but waiting without knowing whether anyone has received the request, whether it is being considered, or when a response might reasonably be expected. Silence often results in unnecessary follow-up emails, repeated requests, complaints, and escalation that consume additional time for both citizens and government employees. When an agency cannot accommodate a meeting or consultation promptly, a simple acknowledgment—such as advising that current workload prevents a meeting until a later date, explaining that another form of communication would be more

		appropriate, or referring the requester to the correct employee—demonstrates respect for the public’s time while allowing citizens to make informed decisions about how best to proceed. Respectful, timely communication is itself an important element of transparency and public service. The Public Records Act is intended to promote an informed public. In many circumstances, meaningful communication is not separate from public access—it is one of the ways public access is achieved. Public records are one important means by which citizens understand their government. Meaningful access to knowledgeable public employees, when practical and reasonable, can be an equally valuable tool for improving understanding, reducing misunderstandings, and increasing the efficiency of both public records requests and other interactions between agencies and the public. Has the Attorney General’s Office considered whether future revisions to the Model Rules should include best practices addressing public requests for consultation or meetings with knowledgeable agency personnel, including timely acknowledgment of such requests and communication regarding expected timeframes when meetings cannot be accommodated promptly? I recognize that the formal comment period has concluded. If the record for this rulemaking has not yet closed, I respectfully ask that you consider the following additional comment. If not, I hope these observations may nevertheless be helpful as your office continues to consider future revisions to the Model Rules. Thank you for your continued work updating the Public Records Act Model Rules and for considering this additional comment despite my late submission.
101.	Heather Kintzley City Attorney City of Richland	 2026.067.01 Model Rules Recommendat
102.	Michael J. (Mike) Dooley OSPI Retired Professional (2021) Certified School Business Official (CSBO) Retired (2024)	Most of the proposed changes are reasonable clarifications of existing PRA expectations — but not all of them are strictly “necessary,” and a few will create real operational strain for school districts. The AGO is trying to solve recurring statewide problems: slow responses, inconsistent intake, lost records on personal devices, and unclear closure letters. The revisions target those pain points. But some changes go beyond clarification and push agencies into more rigid workflows that may not fit every district. Below is a breakdown of what’s truly needed versus what’s more debatable.

	WASBO Associate Member Retired Status	Changes that are clearly needed (because they fix recurring statewide issues) These are the ones that address well-documented PRA problems and align with case law. - Personal device transfer rules Courts have repeatedly penalized agencies when records sit on private phones or accounts. This rule reduces litigation risk and prevents accidental loss. - Clearer closure letters Agencies often get in trouble for “silent withholding” or unclear closure. Standardizing closure letters is a practical fix. - Limits on third-party notices Some agencies overuse notices, slowing responses. Clarifying when they’re appropriate helps everyone. - Clarified indexing expectations Many agencies misunderstand indexing requirements. The revisions simply restate long-standing law. These changes are genuinely helpful and reduce legal ambiguity. Changes that are helpful but not strictly necessary These improve consistency but could be implemented in more flexible ways. - Triage expectations Triage is a good practice, but mandating it in model rules may force small districts into workflows that don’t match their staffing. - Faster turnaround for “simple” requests The intent is good — reduce backlog — but the five-day window is aggressive for districts with limited staff. These changes are beneficial but may be burdensome for smaller agencies. Changes that are debatable or potentially unnecessary
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		These are the ones districts are most likely to push back on. - Intake from “any method” The PRA already allows requests through any channel, but the proposed rule discourages agencies from funneling requests to a single point of contact. This increases the risk of missed requests and forces broad staff training. It’s legally consistent but operationally messy. - Strict timelines for transferring personal-device records The five-day requirement is clear, but enforcing it across hundreds of staff is difficult. The necessity is debatable — the law already requires preservation — but the timeline adds rigidity. These changes solve real problems but may create new ones. My overall take The revisions are mostly needed because they clarify expectations that courts already enforce. They reduce ambiguity, improve transparency, and help agencies avoid penalties. But they aren't all necessary, and some will create significant operational burdens — especially for school districts with decentralized communication, limited staff, or heavy personal-device use. The AGO is trying to standardize statewide practice. The tradeoff is that districts lose flexibility.
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