Highland School District

Re: Public Records Request

COMMERCIAL PURPOSE DECLARATION Public Records Requests under RCW 42.56 for Lists of Individuals

You or your organization or business has requested a list of individuals from a public agency.

The Washington State Public Records Act (PRA) at RCW 42.56.070(8) directs that:

> This chapter shall not be construed as giving authority to any agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall not do so unless specifically authorized or directed by law: PROVIDED, HOWEVER, That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.05 RCW, the Administrative Procedure Act.

The PRA at RCW 42.56.080 authorizes agencies to require a requester to provide information as to the purpose of a request "to establish whether inspection and copying would violate RCW 42.56.070(8)."

The Washington State Court of Appeals ruled that in responding to a public records request that includes a list of individuals, an agency must investigate if that list might be used for commercial purposes, in order to comply with the obligations of RCW 42.56.070(8). *SEIU Healthcare 775NW v. State*, 193 Wn. App. 377, 377 P.3d 214 (2016). The Court also ruled that information to be provided by a requester to an agency includes the purpose of the request, the identity of the requester, the nature of the records requested, and other information necessary to determine if the list of individuals can be provided under RCW 42.56.070(8).

Instructions:

In order to ensure compliance with this obligation please complete the declaration on the reverse of this form and return it to the Public Records Officer. If our agency does not receive a completed declaration, we will be unable to process your request for the list and the request for the list will be administratively closed. If we have questions for you after you complete the declaration, we will contact you. Therefore, make sure you also provide contact information at the bottom of the declaration.

- **Return this completed declaration form (both sides) to the Public Records Officer or other designated person at: Highland School District Office, 17000 Summitview Rd/PO Box 38, Cowiche, WA 98923 or jnotman@highland.wednet.edu**

This declaration is a public record.

Highland School District #203

P.O. BOX 38 – 17000 SUMMITVIEW RD
COWICHE, WA 98923
509-678-8630 FAX 509-678-4177

DECLARATION UNDER PENALTY OF PERJURY

1. I have requested a list of individuals from the Highland School District.
2. I am requesting the list of individuals on behalf of (specify which one applies):

   _____ My Own Personal Behalf (skip to 3.)

   _____ Organization or Business (complete a. – d. before proceeding to 3.)

   a. If an organization or business, the name of the organization or business is:_____
   b. If an organization or business, the purpose of the organization or business is:_____
   c. If an organization or business, the mailing address and website address are:_____
   d. If an organization or business, (i) it is a professional association or educational organization recognized by the professional licensing or examination board, and (ii) the request is for a list of applicants for professional licenses and of professional licensees of the subject area of the association or organization: _____ Yes _____ No
3. The purpose in making this request for the list of individuals is:_____

_____

_____

4. I or the organization/business intend to generate revenue or financial benefit from using the list of individuals: __ Yes __ No
5. I or the organization/business intend to solicit money or financial support from any of the individuals on the list: __ Yes __ No
6. I or the organization/business intend to make individuals on the list aware of business commercial entities, business/financial enterprises or business/financial opportunities: ___ Yes ___ No
7. I or the organization/business intend to supply or sell the list of individuals to any organization or business, third party individual (someone other than myself or the organization or business listed in paragraph 2), or any other entity: ___ Yes ___ No

   > If yes, to whom: _____
8. I or my organization/business attest that another law authorizes or directs the agency to provide me or my organization/business the list of individuals requested: ___ Yes ___ No

   > If yes, provide specific citation: _____

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I certify under penalty of perjury that I have read the first page of this declaration form and I understand that a list of individuals cannot be provided to me or to my organization or business by a public agency if the list will be used for a commercial purpose. I certify under penalty of perjury that any list of individuals I or my organization or business receive pursuant to request [#/date/name_____] to the Highland School District will not be used for any commercial purpose in violation of RCW 42.56.070(8).

DATED this _____of _____, _____in _____.

_____ _____

Signature of Declarant Print Name

Declarant's Title (if any): _____

Declarant's Contact Information (Phone or email, or both):_____

Return the completed declaration form (both sides) to the Public Records Officer via email to jnotman@highland.wednet.edu or mail via post to Highland School District 203, Attn: Julie Notman, PO Box 38, Cowiche, WA 98923-0038.