

POLICY



BOARD OF DIRECTORS
Cheney School District No. 360

Policy No. 4040

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PUBLIC ACCESS TO DISTRICT RECORDS

POLICY:

Consistent with Washington State law, the Board is committed to providing the public full access to records concerning the administration and operations of the District. Such access promotes important public policy, maintains public confidence in the fairness of governmental processes, and protects the community's interest in the control and operation of its common school district. At the same time, the Board desires to preserve the efficient administration of government and acknowledges the privacy rights of individuals whose records may be maintained by the District. This policy and the accompanying procedure are intended to facilitate access to District records without compromising operational efficiency or privacy rights.

DEFINITIONS

As used in this policy and the accompanying procedure, "School District Records" is a broad term that includes any writing containing information relating to the conduct of the District or the performance of any District governmental or proprietary function prepared, owned, used and/or retained by the District regardless of physical form or characteristics.

NOTE: "School District Records" do not include the personal notes and memoranda of staff which remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

A "writing" as used in this policy and procedure is likewise a broad term that means any handwriting, typewriting, printing, photocopying, photographing or other means of recording any form of communication or representation. Included within these definitions are digital and electronic forms of communication, including emails or messages through any medium or application, pages, postings and comments from any District-operated or District-sponsored website. The District will retain public records in compliance with state law and regulations.

Because of the tremendous volume and diversity of records continuously generated by a public school district, the Board has declared by formal resolution that trying to maintain

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a current index of all of the District's records would be impracticable, unduly burdensome, and ultimately interfere with the operational work of the District.

The Superintendent/ designee will develop procedures consistent with state law that will facilitate this policy. The Superintendent/designee will also appoint a Public Records Officer who will serve as a point of contact for members of the public who request the disclosure of public records. The Public Records Officer will be trained in the laws and regulations governing the retention and disclosure of records, and shall oversee the District's compliance with this policy and state law.

Legal References: RCW 5.6 Witnesses - Competency
RCW 13.04.155(3) Notification to School Principal of Conviction, Adjudication, or Diversion Agreement - Provision of Information to Teachers and Other Personnel - Confidentiality
RCW 26.44.010 Declaration of Purpose
RCW 26.44.030(9) Reports - Duty and Authority to Make - Duty of Receiving Agency - Duty to Notify - Case Planning and Consultation - Penalty for Unauthorized Exchange of Information - Filing Dependency Petitions - Investigations - Interviews of Children - Records - Risk Assessment Process
RCW 28A.605.030 Student Education Records - Parental Review - Release of Records - Procedure
RCW 28A.635.040 Examination Questions - Disclosing - Penalty
RCW 40.14 Preservation and Destruction of Public Records
RCW 42.17A Campaign Disclosure and Contribution
RCW 42.56 Public Records Act
WAC 392-172A Rules for the Provision of Special Education
P.L. 98-24, Sec. 527 of the Public Health Services Act, 42 USC 290dd-2
20 U.S.C. 1232g Federal Education Rights Privacy Act (FERPA)
20 U.S.C. 1400 et seq Individuals with Disabilities Education Act (IDEA)
42 U.S.C. 1758(b)(6)
34 CFR Part 300 Assistance to States for the Education of Children with Disabilities
45 CFR Part 160-164 General Administrative Requirements, Administrative Requirements and Security and Privacy

