Policy No. 4040
Community Relations

# PUBLIC ACCESS TO DISTRICT RECORDS

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. This policy and accompanying procedure are intended to facilitate access to school district records while protecting the privacy of individuals and operational efficiency of the District in accordance with applicable laws and regulations, including the redaction of personally identifiable information (PII) as outlined in Procedure 6501P. The District is committed to safeguarding the privacy of individuals whose information is contained within district records, in accordance with Policy 6501 and Procedure 6501P and all applicable federal and state laws.

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, or retained by the District regardless of physical form or characteristics. 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, texts 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.

The definition of "school district records" does not include records that are not otherwise required to be retained by the District and are held by volunteers who do not serve in an administrative capacity, have not been appointed by the District to a District board, commission, or internship, and do not have a supervisory role or delegated District authority.

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 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. Additionally, the Board hereby finds that it would be unduly burdensome to calculate the costs of producing public records, given the multiple different electronic and manual devices used to produce public records, as well as the fluctuating costs of District supplies and labor.

The Superintendent will develop—and the Board will periodically review—procedures consistent with state law that will facilitate this policy. The Superintendent 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, including data privacy principles and practices outlined in Policy 6501 and Procedure 6501P, and shall oversee the District's compliance with this policy and state law.

| | |
|---|---|
| Cross References: | 3231 - Student Records<br>6501 - Data Privacy |
| Legal References: | Chapter 5.60 RCW WITNESSES — COMPETENCY<br>Chapter 13.04.155(3) RCW Notification to school principal of conviction, adjudication, or diversion agreement — Provision of information to teachers and other personnel — Confidentiality.<br>Chapter 26.44.010 RCW Declaration of purpose.<br>Chapter 26.44.030(9) RCW 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.<br>Chapter 28A.605.030 RCW Student education records — Parental review — Release of records — Procedure.<br>Chapter 28A.635.040 RCW Examination questions — Disclosing — Penalty.<br>Chapter 40.14 RCW Preservation and destruction of public records<br>Chapter 42.17A RCW Campaign Disclosure and Contribution<br>Chapter 42.56 RCW Public Records Act<br>WAC 392-172A Rules for the provision of special education<br>Public Law 98-24, Section 527 of the Public Health Services Act, 42 USC 290dd-2<br>20 U.S.C. 1232g Federal Education Rights Privacy Act (FERPA)<br>20 U.S.C. § 1232h Protection of Pupil Rights Amendment (PPRA)<br>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