

Public Access to District Records

Purpose

This policy and related procedures establish the conditions under which the public may access district records, with the intention of balancing public access rights, individual privacy rights and the operational efficiencies of the district.

Scope

This policy applies to the Board of Directors, Superintendent, the Public Records Officer and other staff involved in managing district records, and members of the community.

Policy

1. INTRODUCTION

- 1.1. 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.
- 1.2. 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 school district records without compromising operational efficiency or privacy rights.

2. DEFINITIONS

- 2.1. "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.
- 2.2. A "writing," as used in this policy 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.
- 2.3. 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 service 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.

3. GENERAL PROVISIONS

- 3.1. The Superintendent will serve as or designate a Public Records Officer, who will be the point of contact for members of the public requesting the disclosure of public records.
 - 3.1.1. The Public Records Officer will be trained in the laws and regulations governing the retention and disclosure of records, and will oversee the district's compliance with this policy and state law.
- 3.2. All public records requests to Valley School District must be made in writing and approved by the Superintendent.
 - 3.2.1. If the Superintendent designates a Public Records Officer, the officer will authorize the inspection and copying of the district's records only with the written approval of the Superintendent and in accordance with the criteria set forth in Procedure 4040P1.
- 3.3. Because of the tremendous volume and diversity of records continuously generated by a public school district, the Board has determined that maintaining 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.
- 3.4. The Superintendent will develop, and the Board will periodically review, procedures consistent with state law that will facilitate this policy.

Related Procedure

3231P1-Student Records

4040P1-Public Records Requests

Policy Cross References

3231-Student Records

Policy Legal References

Chapter 5.60 RCW – Witnesses — Competency

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

Chapter 26.44.010 RCW – Declaration of purpose

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

Chapter 28A.605.030 RCW – Student education records — Parental review — Release of records — Procedure

Chapter 28A.635.040 RCW – Examination questions — Disclosing — Penalty

Chapter 40.14 RCW – Preservation and destruction of public records

Chapter 42.56 RCW – Public Records Act

Chapter 42.17A RCW – Campaign Disclosure and Contribution

WAC 392-172A – Rules for the provision of special education

Public Law 98-24, Section 527 of the Public Health Services Act, 41 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

Management Resources

Policy & Legal News, July 2017 – Updated policy and procedure for public records requests

Policy & Legal News, April 2015 – Comprehensive Updates to Public Access to District Records Policy

Policy News, April 2012 – Public Records

Policy News, February 2010 – Federal Education Rights and Privacy Act revisions

Policy News, June 2006 – Public Records Act

Policy News, October 2005 – Public Disclosure

Washington State Office of the Attorney General – Open Government Training

Washington State Office of the Attorney General – Model Rules on Public Disclosure

Policy History

Action:	Date:
Approved by the Board	June 16, 2004
Revised	June 5, 2006
Revised	June 17, 2015
Revised	November 15, 2017
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