

COMMUNITY RELATIONS

Public Access to District Records

Mindful of the right of individuals to privacy and of the desirability of efficient administration of the District, full access to information concerning the administration and operations of the District shall be afforded to the public as provided by the Public Disclosure Law. Public access to District records shall be afforded according to the procedures developed by the superintendent and periodically reviewed by the Board.

“School district records” means any record containing information relating to the conduct of operations and functions of the District, which is prepared, owned, used, or retained by the District. Records may be in the form of handwriting, typewriting, printing, photography, electronic, or any other means of recording any form of communication, including letters, words, pictures, sounds, symbols, or combination thereof, and recorded on any medium including paper, tape, disc, film, or computer memory. Records include existing data compilations from which information may be obtained or translated. “School district records” do not include personal notes and memoranda, which remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

The superintendent/designee shall serve as “public records custodian” with responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, and copying requirements of state law and this policy. As custodian he/she shall authorize the inspection and copying (at 15 cents per page) of the District’s records only in accordance with the criteria set forth in this policy.

In accordance with RCW Chapter 42.56, the District shall make available for public inspection and copying all District records or portions, except those that contain the following information:

- A. Per RCW 42.56.230(1)(a), personal information from any file maintained for students. Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974 and adopted District policy.
- B. Per RCW 42.56.230(2), personal information in files maintained for staff to the extent that disclosure would violate their right to privacy. Requests for verification of employment are not public records and will not be disclosed. Performance evaluations that do not discuss specific instances of misconduct are private and not of legitimate public concern. They will not be disclosed.
- C. Per RCW 42.56.250(1), test questions, scoring keys, or other examination data used to administer academic tests.

- D. Per RCW 42.56.260, the contents of real estate appraisals, made for or by the District relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal.
- E. Per RCW 42.56.280, preliminary drafts, notes, recommendations, and intra-District memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the District in connection with any District action.
- F. Per RCW 42.56.290, records that are relevant to a controversy in which the District is a party but which records would not be available to another party under the rules of pre-trial discovery for cases pending in the superior courts.
- G. Per RCW 42.56.210, 42.56.230, 42.56.070, and RCW 42.56.050, records or portions of records the disclosure of which would violate personal rights of privacy.
- H. Per RCW 42.56.210, records or portions of records the disclosure of which would violate government interests.
- I. Per 42.56.420(3), Information compiled by school districts or schools in the development of their comprehensive safe school plan under RCW 28A.320.125, to the extent that they identify specific vulnerabilities of school districts and each individual school.
- J. Per RCW 42.56.250(3), the residence addresses and telephone numbers of staff members and volunteers held in personnel records, rosters, and mailing lists.
- K. Per WAC 392-172-422, personally identifiable information for special education students.

If the District denies any request, in whole or in part, for inspection and copying of records, the District shall provide the requesting party with a written statement of the reason for the denial setting forth the specific exemption (and statutory section) which applies.

If the record which is requested for inspection and/or copying contains both information exempted from disclosure and nonexempt information, the District shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

Per AGO 1988 No. 12, the District may inquire into the purpose for which a record is requested and may use the answer to aid in determining whether the public has a legitimate interest in obtaining the information, but the District may not decline to furnish the records for public inspection and copying solely because the requester refuses to furnish a reason for the request.

The District may condition access to a public record containing a list of individuals on the requester's promise that the record will not be used for a commercial purpose, but may not require the requester to enter into a hold harmless agreement to that effect.

The public records custodian is authorized to seek an injunction to prevent the disclosure of records otherwise discloseable when he/she determines that there is reasonable cause to believe that the disclosure would clearly not be in the public interest and would substantially and irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Subject to the provisions of policy 4310, the custodian of the record shall inform an individual when a record containing private information about that individual has been requested. The person shall be informed of the District's intended response to the request.

Cross Reference:

cf. 3231 Student Records

cf. 4310 Relations with the Law Enforcement, Fire Department, Child Protective Agencies, and the County Health Department

Legal Reference:

RCW 42.56

Public Records Act

AGO 1988 No. 12

Public Disclosure – Privacy

20 USC § 1232g

Family Educational Rights and Privacy Act

Adoption Date: June 10, 1985

Revised: May 23, 2001

Revised: October 23, 2002

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