

Procedure - Public Access to District Records

Purpose of ~~these Procedures~~Procedure and General Principles

~~These procedures have~~This procedure has been established by the Superintendent and published pursuant to Board Policy 4040 and RCW 42.56.040 to explain the process for public access to ~~school district~~public records of the District and ~~to provide guidance in~~ how the District will respond to ~~such~~records requests.-

~~School district~~Members of the public may request access to public records of the District consistent with this procedure and the Washington Public Records Act ("PRA"), Chapter 42.56 RCW. For purposes of this procedure, "public records" are those writings containing information relating to the conduct of the District's operations and functions ~~of the District~~ that ~~have been~~are prepared, owned, used, or retained by the District ~~in any format are, in fact, public records to which members of the public may request access consistent with this procedure.~~, regardless of physical form or characteristics.

When processing ~~such~~records requests, the District will provide the fullest assistance to the requestor and provide a response in the ~~most timely~~timeliest manner possible.-

District Public Records Officer

Public Records Officer

~~For the most timely and efficient response, requests for school district records should be directed in writing to the~~The District's Public Records Officer ~~listed below, whose responsibilities include~~(PRO) is responsible for serving as a point of contact for members of the public ~~in this process who request public records~~ and overseeing the District's compliance with the ~~Washington Public Records Act, Chapter 42.56 RCW, PRA~~ and Policy 4040. For the most timely and efficient response, requests for District records should be directed in writing to the PRO listed below:

~~The current Public Records Officer of the District may be reached at the District's Central Administrative Building as follows:~~

: Michael Green, Superintendent~~of Schools~~

Address: 800 Second Street

Woodland, WA~~Washington~~ 98674

Phone: (360) 841-2700

Fax: (360) 841-2701 ~~(FAX)~~

Information regarding contacting the ~~Public Records Officer~~PRO is also available at the District website at ~~Woodlandschools.org~~woodlandschools.org.

Public Records Officer Training

Consistent with state law, the ~~Public Records Officer shall~~PRO will complete trainings related to the ~~Washington Public Records Act~~PRA and public records retention no later than ninety (90) days after assuming ~~the~~his or her responsibilities ~~of the Public Records Officer~~. After the initial training(s), the ~~Public Records Officer must~~PRO will complete refresher training at intervals of no more than four ~~years as long as he or she remains the District's Public Records Officer~~(4) years.

Availability of Public Records

Hours for Inspection

~~Public records are available for inspection and copying during normal business hours of the District. Records must be inspected at the offices of the District.~~

Organization of Records

The District will maintain its records in a reasonable, organized manner and take reasonable actions to protect records from damage and disorganization.

Inspection of Records

Public records are available for inspection and copying during normal business hours of the District, which are 7:30 a.m. to 4:00 p.m. Monday through Friday during the school year and 9:00 a.m. to 1:00 p.m. on days that school is not in session, excluding legal holidays. Records must be inspected at the District's central office, 800 Second Street, Woodland, Washington 98674.

A requestor ~~shall will~~ not take ~~District~~ records from District offices without the permission of ~~the Public Records Officer PRO~~ or designee. A requestor must not alter or destroy any record during inspection. During the inspection of records, a District employee will typically be present to protect records from damage or disorganization.

Information Online

A variety of records and information are available on the District website at Woodlandschools.org. Requestors are encouraged to view the documents available on the website prior to submitting a records request.

Making a Request for Public Records

Request to Public Records Officer

Any person wishing to inspect or copy public records of the District ~~shall should~~ make the request in writing by letter, fax, or email addressed to the ~~Public Records Officer PRO~~ and including the following information:

- Name, address, telephone number, and email address of requestor;
 - Identification of the public records adequate for the ~~Public Records Officer PRO~~ or designee to locate the records; ~~and~~
 - The date the request is submitted to the District; ~~and~~
-
- Whether the requester seeks to *inspect* responsive records or wants *copies* of the records (which may be subject to a fee, as explained below).

The ~~District's~~ District will honor requests received in person during its normal office hours, or by mail, fax, or email. The District encourages requestors to use the "Public Records Request Form"

prepared by the District, which is available ~~for use by requestors~~ at the District's central office and online at Woodlandschools.org~~woodlandschools.org~~.

If requestors refuse to identify themselves or provide sufficient contact information, the District will respond to the extent feasible and consistent with the law.

Requests Not in Writing

The PRO or designee may accept informal requests for public records by telephone or in person. To avoid any confusion or misunderstanding, however, requestors should be mindful that a request reduced to writing is always the preferred method.

If the PRO or designee receives a request by telephone or in person, the PRO or designee will confirm his or her understanding of the request with the requestor in writing.

Identifiable Records

A request under the Washington Public Records Act, Chapter 42.56 RCW and District Policy 4040 must seek an identifiable record. -A request for all or substantially all records prepared, owned, used, or retained by the District is not a valid request for identifiable records, provided that a request for all records regarding a particular topic or containing a particular keyword or name will not be considered a request for all of the District's records.

General requests for information from the District that do not seek identifiable records are not covered by Policy 4040~~- or this procedure~~. Similarly, the District is not obligated by law to create a new record to satisfy a records request ~~for information~~. The However, the District may choose to create a record depending on the nature of the request and the convenience of providing the information in a new document, such as when data from multiple locations is requested and can be more easily combined into a single new record.

Copies of Records

If the requestor wishes to have copies of the records made instead of inspecting them, he or she ~~shall~~will make this clear in the request and make arrangements to pay for copies ~~of the records~~ or provide a deposit.

Responding to Public Records Requests

Central Review

Any District employee other than the PRO who receives a request for public records, whether written or verbal, will promptly forward the request to the PRO for processing. Building-level staff and other employees will not respond to public records requests directly unless directed by

~~the PRO or designee. The PRO or designee will conduct a diligent search for the records requested.~~

Requests Not in Writing

~~The Public Records Officer or designee may accept informal requests for public records by telephone or in person. To avoid any confusion or misunderstanding, however, requestors should be mindful that a request reduced to writing is always the preferred method. If the Public Records Officer or designee receives a request by telephone or in person, the Public Records Officer will confirm his or her understanding of the request with the requestor in writing.~~

Processing of Public Records Requests

Order of Processing Requests

The District will typically process requests in the order received. However, requests may also be processed out of order if doing so allows the ~~most~~greatest number of requests to be processed in the most efficient manner.

Central Review

~~Records requests not made to the Public Records Officer of the District will be forwarded by building level administrators, program administrators, or other staff receiving the request to the Public Records Officer for processing.~~

Five-Day Response

Within five (5) business days of receipt of a request, the ~~Public Records Officer~~PRO will respond in writing acknowledging receipt of the request and notifying the requester that the District will do one or more of the following:

1. Provide copies of the ~~record(s)~~records requested or make the ~~record~~records available for inspection—~~or, in~~. In the alternative, ~~the PRO or designee may~~ provide an ~~internet~~Internet address ~~and link to the District's website where the specific~~

~~records~~ can be accessed (provided that the requestor has not notified the District that he or she cannot access the records through the ~~internet~~; or ~~Internet~~).

2. Acknowledge that the District has received the request and provide a reasonable estimate of the time it will require to provide one or more installments or to fully respond; or. The PRO or designee may revise the estimate of when records will be available.
3. Seek clarification of the request; or
3. Seek clarification of all or a portion of a request that is unclear, and provide, to the extent possible, a reasonable estimate of time that the District will require to respond to the request if it is not clarified. Such clarification may be requested and provided by telephone and memorialized in writing.
4. Deny the request because no responsive records exist or all responsive records are exempt from disclosure (although no request will be denied solely on the basis that the request is overbroad), unless such request seeks all or substantially all records of the District). When there are responsive records that are exempt, the PRO or designee will provide an exemption log, as described below.

The District may require additional time to respond to a request based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. The PRO or designee will state the reason(s) additional time is needed in the five-day response.

If a requestor fails to respond to a request for clarification, and the entire request is unclear, the District need not respond to it. Otherwise, the District will respond to those portions of the request that are clear.

The PRO or designee may ask the requestor to prioritize the records he or she is requesting so that the District provides the most desired records first. A requestor is not required to provide prioritization information, and the District is not required to provide records in the order prioritized by a requestor.

In unusual circumstances, the District may also seek a court order enjoining disclosure pursuant to law.

If the District does not respond in writing within five (5) business days of receipt of the request for disclosure, the requestor should contact the ~~Public Records Officer~~PRO to determine the reason for the failure to respond.

The District may deny a bot request that is one of multiple requests from the requestor within a twenty-four (24) hour period, if the District determines that responding to the multiple requests would cause excessive interference with other essential functions of the District. A “bot request” means a request for public records that the District reasonably believes was automatically generated by a computer program or script.

Purpose of Request

The District may inquire into the purpose for which a record is requested and may use the answer to aid in gathering responsive records and determining whether the public has a legitimate interest in obtaining the information. However, a requester is not required to provide a purpose and the District may not decline to furnish the records solely because the requester refuses to furnish a purpose for the request.

Protecting Rights of Others

In the event that the requested records contain information that may affect rights of ~~others~~students, parents, employees, or other people and may ~~be~~ arguably be exempt from disclosure, the ~~Public Records Officer~~PRO may, prior to providing the records, give notice to such ~~others~~persons. The notice may make it possible for ~~the others~~such persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek a court order to prevent or limit the disclosure. The notice to the affected persons may also include a copy of the request.

Upon receipt of a request for information located exclusively in an employee's personnel, payroll, supervisor, or training file, the District will provide notice to the employee, to any union representing the employee, and to the requestor. The notice will state: the date of the request; the nature of the requested record relating to the employee; that the District will release any information in the record which is not exempt from disclosure at least ten (10) days from the date the notice is made; and that the employee may seek to enjoin release of the records under RCW 42.56.540.

Records Exempt from Disclosure

Some records are exempt from disclosure, in whole or in part, under a specific exemption contained in ~~chapter 42.56 RCW~~~~the PRA~~ or another statute ~~which~~~~that~~ exempts or prohibits disclosure of specific information or records.

If the District believes that a record is exempt from disclosure and should be withheld, the ~~Public Records Officer~~~~PRO~~ will state in writing the specific exemption (and statutory section) which applies and provide a brief explanation of how the exemption applies to the record being withheld or redacted.~~–~~ This exemption and explanation will be provided to the requestor in a withholding index or log.

If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the ~~Public Records Officer~~~~PRO~~ will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted in the withholding index or log.

List of Laws Exempting or Prohibiting Disclosure

Pursuant to RCW 42.56.070-(2), ~~these rules contain a list of laws other than those specifically listed in the Washington Public Records Act, Chapter 42.56 RCW which District has identified the following statutes or regulations appearing outside the PRA itself that~~ may exempt disclosure of certain public records or portions of records~~–~~:

The ~~District has identified the following laws:~~

- ~~The federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g et seq.; 34 C.F.R. Part 99~~ (regarding student educational records);
- ~~Washington State Student Education Records Law~~ regarding confidentiality of student education records, RCW 28A.605.030;
- ~~The Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq.~~ and; 34 C.F.R. Part 300 (protecting the confidentiality of personally identifying information contained in student education records of students with disabilities~~).~~;
- Privileged communications and attorney work product prepared in reasonable anticipation of litigation, such as set forth in Chapter 5.60 RCW;
- Criminal Records Privacy Act (CRPA), Chapter 10.97, RCW;
- Information on students receiving free or reduced lunch, 42 U.S.C. § 1758(b)(6);

- Health Insurance Portability and Accountability Act (HIPAA), 45 CFR parts C.F.R. Parts 160-164 (regarding health care information privacy and security);
- Abuse of Children Protection and Procedure Washington law regarding confidentiality of persons reporting child abuse or neglect, RCW 26.44.010; RCW 26.44.030(9);
- Notification of Juvenile Offenders regarding juvenile offenders, RCW 13.04.155(3);
- Keeping and Release of Records by Juvenile Justice or Care Agencies, Chapter 13.50 RCW (requiring confidentiality of certain records related to juvenile offenses and CPS reports);
- Examination question questions for teachers or pupils prior to the examination, Questions, RCW 28A.635.040;
- Public Law 98-24, Section 527 of the Public Health Services Act, 41 USC U.S.C. § 290dd-2 (confidentiality of alcohol and drug abuse patient records);
- United States and Washington Constitutional constitutional provisions including, but not limited to, the right of privacy and freedom of association.

~~In addition to these exemptions, RCW 42.56.070 (9) prohibits providing access to lists of individuals requested for commercial purposes, and the District may not do so unless specifically authorized or directed by law.~~

The above list is for informational purposes only and is not intended to cover all possible exemptions from the public records law. The above list includes only exemptions which may be in addition to those set forth in Chapter 42.56 RCW. Under appropriate circumstances, the District may rely upon other legal exemptions which are not set forth above or contained within the ~~public disclosure law~~PRA.

~~-In addition to these exemptions, RCW 42.56.070(9) prohibits providing access to lists of individuals requested for commercial purposes.~~

Inspection of Records

Consistent with other demands, and without unreasonably disrupting District operations, the District ~~shall~~will promptly provide for the inspection of nonexempt public records. No member of the public may remove a document from the viewing area without the permission of the ~~Public Records Officer~~PRO, nor may he or she disassemble or alter any document. ~~The requestor~~

~~shall~~ Following inspection, the requester will indicate which documents he or she wishes the District to copy~~, if any.~~ There is no cost to inspect District records.

Cost of Providing Copies of Records

After inspection is complete, ~~or if a requestor otherwise seeks copies of public records, the Public Records Officer~~PRO or designee ~~shall~~will make the requested copies or arrange for copying.

~~The~~The District is not calculating actual costs for copying its records because to do so would be unduly burdensome for the following reasons: the District does not have the resources to conduct a study to determine actual copying costs for all its records; to conduct such a study would interfere with other essential District functions; and, through the legislative process, the public and requestors have been informed of authorized fees and costs provided in the PRA and other laws. Therefore, in order to timely implement a fee schedule consistent with the PRA, it is more cost ~~for copies is .05 cents~~ efficient, expeditious, and in the public interest for the District to adopt the Legislature's approved fees and costs for most of the District's records, as authorized in the PRA. Accordingly, costs for providing records are established as follows:

- \$0.15 per page for ~~photocopies of public records, for printed copies of electronic public records when requested by the requestor, or for the use of District equipment to photocopy public records;~~
- \$0.10 per page for public records scanned into electronic format or for the use of District equipment to scan the records;
- \$0.05 per each four (4) electronic files or attachments uploaded to email, cloud-based data storage device, or other means of electronic delivery; and
- \$0.10 per gigabyte for the transmission of public records in an electronic format or for the use of District equipment to send the records electronically.

~~The District may also charge actual cost of any digital storage media or device provided by the District (e.g., CDs, DVDs, and thumb drives), the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.~~

~~The above costs may be combined to the extent that exceed twenty five (25) pages, more than one type of charge applies to the records produced in response to a request.~~ Payment may be made by cash, check, or money order ~~payable~~ to the District.

~~The District may also charge actual costs of mailing, including the cost of the shipping container.~~

~~The District will take reasonable steps to provide the records in the most efficient manner available to the District in its normal operations. The District will not impose copying charges~~

for access to or downloading of records that it routinely posts on its website prior to receipt of a request unless the requestor has specifically requested that the District provide copies of such records through other means.

If the District estimates that a request will require the use of information technology expertise to prepare data compilations or to provide customized electronic access services when such services are not used by the District for other District purposes, the District may include a customized service charge for reimbursement of the actual cost of such services. Before assessing a customized service charge, the District will notify the requestor of the customized service charge to be applied to the request, including an explanation of why the charge applies, a description of the specific expertise required, and a reasonable estimate cost of the charge. The notice will also provide the requestor the opportunity to amend his or her request in order to avoid or reduce a customized service charge. The customized service charge may reimburse the District up to the actual cost of providing the services.

Before beginning to make the copies, the ~~Public Records Officer~~PRO or designee may require a deposit of up to ten (10) percent of the estimated costs of ~~copying all the records selected by the requestor. The Public Records Officer~~providing copies for a request, including any applicable customized service charge. The PRO or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. If an installment of records is not claimed or reviewed, the District is not obligated to fulfill the balance of the request.

Upon request, the District will provide the requestor a summary of applicable charges before any copies are made, and the requestor may revise the request to reduce the number of copies to be made and reduce the applicable charges.

The District may enter into a contract, memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement to the charges authorized in this procedure, or in response to a voluminous or frequently occurring request.

Providing Records in Installments

When the request is for a large number of records, the ~~Public Records Officer~~PRO or designee has the right to provide access for inspection and copying in installments. If, within thirty (30) days, the requestor fails to inspect the entire set of records or one or more of the installments, the ~~Public Records Officer~~PRO or designee may stop searching for the remaining records and close the request ~~and, as~~ discussed further below.

Completion of Inspection

When the inspection of the requested records is complete and all requested copies are provided, the ~~Public Records Officer~~PRO or designee will indicate that the District has completed a diligent

search for the requested records and made any located nonexempt records available for inspection.

Log of Public Records Requests; Copy to be Maintained

The District will maintain a log of public records requests that includes the identity of the requestor (if provided), the date the request was received, the text of the original request, a description of the records redacted or withheld and the reasons therefor, and the date of the final disposition of the request, in accordance with RCW 40.14.026.

The PRO will retain a copy of all paper records given to a requestor for purposes of documenting which records were provided. Consistent with the “Local Government Common Records Retention Schedule (CORE),” the District will retain records relating to public records requests for two (2) years. Records related to public records requests, including correspondence with requestors and documentation of records provided, are themselves public records that may be subject to public disclosure.

Closing Withdrawn or Abandoned Request

The requestor must claim or review the assembled records (either in whole or as an installment) within thirty (30) days of the District's notification to him or her that the records are available for inspection or copying. The District should notify the requestor in writing of this requirement and inform the requestor that he or she should contact the District to ~~make arrangements~~arrange to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-(30) day period or make other arrangements, the District ~~may~~will close the request and ~~refile~~notify the ~~assembled~~requestor. Other public records requests may be processed ahead of a subsequent request by the same person for the same or almost identical records, which may be processed as a new request.

When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit, installment payment, or final payment for the requested copies, the ~~Public Records Officer~~PRO will close the request and ~~indicate to~~notify the requestor ~~that the District has closed the request.~~

Later-Discovered Documents

If, after the District has informed the requester that it has provided all available records, the District becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

Processing of Public Records Requests for Electronic Records

Requesting Electronic Records

The process for requesting electronic public records is the same as for requesting paper public records. However, to assist the District in responding to a request for electronic records, a requester should provide specific search terms that will allow the ~~Public Records Officer~~PRO or designee to locate and assemble identifiable records responsive to the request.

Providing Electronic Records

When a requestor requests records in an electronic format, the ~~Public Records Officer~~PRO or designee will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the District and is generally commercially available, or in a format that is reasonably translatable from the format in which the District keeps the record. ~~The District may provide electronic copies of paper documents, subject to a scanning charge (discussed above).~~

Cost for Electronic Records

~~The cost of electronic copies of records shall be \$2.50 for information provided by CD or DVD. There will be no charge for smaller requests which can be fulfilled by e-mailing electronic records to a requestor. The Public Records Officer or designee may also require the payment of the costs of the CD or DVD before providing that installment.~~

~~The District may also charge actual costs of mailing, including the cost of the shipping container.~~

~~Some electronic records, such as email metadata, may require redactions effectuated by creating paper documents. For such redactions, the District may print electronic records, redact them, and scan them back into electronic format in order to disclose them electronically.~~

~~The District will keep an electronic copy, when feasible, of electronic records that it provides to a requestor to show the exact records provided.~~

Internal Review of Denials of Public Records

Petition for Internal Administrative Review of Denial of Access

Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the ~~Public Records Officer~~PRO for a review of that decision. The petition ~~shall~~will include a copy of or reasonably identify the written statement by the ~~Public Records Officer~~PRO or designee denying the request.

Consideration of Petition for Review

The ~~Public Records Officer shall~~PRO will immediately consider the petition and ~~shall~~will either affirm or reverse the denial within two (2) business days following the receipt of the petition, or within such other time as the District and the requestor mutually agree~~to~~. The PRO's decision will be final for the District.

-

-

-