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**BOARD ADOPTED  
PROCEDURE**

Introduction

A. RCW 42.56.040 requires that local governmental agencies publish its procedures for the disclosure of public records. The purpose of this procedure is to establish the rules the District will follow in order to provide full access to public records.

B. Agency Description – Contact Information – Public Records Officer

1. The District is comprised of many elementary, middle, high school, and alternative schools located throughout the City of Seattle. The central administrative office for the District is the John Stanford Center for Educational Excellence located at 2445 3<sup>rd</sup> Avenue South, Seattle, WA 98134.
2. Public Records Officer. Any person wishing to request access to any public record of the District, including a record maintained at any District school, or seeking assistance in making such a request, shall make a request through the District's Public Records Officer at the John Stanford Center for Educational Excellence. If a request is made to any other person, and the requestor has actual knowledge of the District's policy requiring a requestor to make requests to the Public Records Officer, the District may assert that a proper request was not submitted. Any record request received by District staff other than the Public Records Officer should be immediately transmitted to the Public Records Officer. The address for the Public Records Officer is:

Public Records Officer  
Seattle School District  
MS 32-151, PO Box 34165  
Seattle, WA 98124-1165

Contact information for the Public Records Officer is also available at the District's website at:

<http://www.seattleschools.org/area/main/publicrecordrequests.xml>



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3. The Public Records Officer will oversee compliance with the District's policy and procedure on public records, but another staff person may process or locate the request.

C. Availability of Public Records

1. Hours of Inspection. Public records are available for inspection and copying during normal business hours of the District, Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding legal holidays. Records must be inspected at the Central Office.
2. Records Index. The District finds that maintaining an index is unduly burdensome and would interfere with District operations. The index requirement would unduly burden or interfere with District operations because the District has too many documents to index, too many school locations and departments, and too many new documents being created at all schools and locations. Creating an index would significantly detract from the performance of essential educational job duties. The Seattle School Board previously opted out of creating a record index in October 1977 (Resolution 1977-25). Resolution 1977-25 is incorporated herein by reference.
3. Organization of District Records. The District will maintain its records in a reasonably organized manner. The District will take reasonable actions to protect records from damage and disorganization. A requestor shall not take District records from District offices without the permission of the Public Records Officer. A large number of District records are available on the District's website at [www.seattleschools.org](http://www.seattleschools.org). Requestors are encouraged to view the documents available on the District's website prior to submitting a records request.
4. Making a Public Records Request.
  - a. Any person wishing to inspect or copy public records of the District should make the request in writing by letter, fax, or email addressed to the Public Records Officer and include the following information:
    - Name and address of requestor;
    - Other contact information, including telephone number and any email address;

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- Identification of the public records, adequate for the Public Records Officer to locate the records; and
  - The date of the request.
- b. If the requestor wishes to have copies of the records made instead of inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit.
- c. The Public Records Officer may accept requests for public records that contain the above information by telephone or in person. If the Public Records Officer accepts such a request, he or she will confirm receipt of the request in writing.

#### D. Process of Public Records Requests

1. Rules and Guidelines. The District is charged by statute with adopting rules that provide for how it will “provide full access to public records,” protect records from damage or disorganization,” “prevent excessive interference with other essential function of the agency,” provide “fullest assistance” to requestors, and provide the “most timely possible action” on public records requests. The Public Records Officer will process requests in the order allowing the most requests to be processed in the most efficient manner.
2. Acknowledging Public Records Requests. Within five (5) business days of receipt of a request, the Public Records Officer will do one or more of the following:
  - a. Make the records available for inspection or copying;
  - b. If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;
  - c. Provide a reasonable estimate of when records will be available; or
  - d. If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone or email. The Public Records Officer may revise the estimate of when records will be available, with notice to the requestor; or
  - e. Deny the request; or
  - f. Take other action as allowed and as deemed necessary to address the request.



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3. Consequences of Failure to Respond. 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 to determine the reason for the failure to respond.
4. Protecting Rights of Others. In the event that requested records contain information that may affect the rights of others and/or may be exempt from disclosure, the Public Records Officer may, prior to providing the records, give notice to such other people.
5. Records Exempt from Disclosure. Some records are exempt from disclosure, in whole or in part. If the District believes that a record is exempt from disclosure and should be withheld, the Public Records Officer will list the withheld record or portion of record, state the specific exemption, and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Public Records Officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.
6. Inspection of Records. Consistent with other demands and without unreasonably disrupting District operations, the District shall promptly provide for the inspection of non-exempt public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the District to copy. The requestor must claim or review the assembled records within 30 days of the District's notification to him or her that the records are available for inspection or copying. The District will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the District to make arrangements to claim or review the records. If the requestor fails to claim or review the records within the 30-day period or make other arrangements, the District may close the request and file the assembled records.
7. Providing Copies of Records. After inspection is complete or if the records are simply requested, the Public Records Officer shall arrange for the documents to be copied.



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8. Providing Records in Installments. When the request is for a large volume of records or records maintained at numerous locations, the Public Records Officer may elect to respond to the public record request in installments. If the requestor fails to inspect an installment within 30 days of notification that the installment is ready for review or copying, the Public Records Officer may deem the request abandoned and stop fulfilling the remainder of the request.
9. Completion of Inspection. When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer will indicate that the District has completed a diligent search for the requested records and made any located nonexempt records available for inspection.
10. Closing a Withdrawn or Abandoned Request. When the requestor either withdraws the request or fails to fulfill his or her obligation to inspect the records or pay the deposit or final payment for the requested copies, the Public Records Officer will close the request and indicate to the requestor that the District has closed the request.

E. Exemptions

1. The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the District for inspection and copying:
  - a. The Family Educational and Privacy Rights Act, 20 USC § 1232g (regarding student educational records).
  - b. Washington State Student Education Records Law, RCW 28A.605.030.
  - c. Privileged communications and attorney work product, as set forth in RCW 5.60.
  - d. Confidentiality of alcohol and drug abuse patient records, 41 U.S.C. § 290ee-3

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The above list is for informational purposes only and is not intended to cover all possible exemptions from the Public Records Act. The above list only includes exemptions that are in addition to those set forth in Chapter 42.56 RCW. A complete list of the other statutes that exempt records from disclosure is found on the District's website at:

<http://www.seattleschools.org/area/main/publicrecordrequests.xml>


2. The District is prohibited by statute from disclosing lists of individuals for commercial purposes.

F. Costs of Providing Copies of Public Records.

1. Costs for Paper Copies. There is no fee for inspecting public records. It would be unduly burdensome for the District to determine an actual per page cost for public records; thus a requestor shall be required to pay the statutory per page rate (currently \$.15 per page under RCW 41.56.070(8)) for copies on paper that is 8.5" by 14", or less. The Public Records Office is authorized to create a fee schedule based on actual costs for other sized copies. The Public Records Officer may waive the fee for fewer than 50 pages when, in his or her judgment, the expense of processing the payment exceeds the costs of providing the copies.

The Public Records Officer may require that all copying, shipping, and material fees be paid in advance of the release of the copies. In addition, the Public Records Officer may require a deposit of up to 10% of the estimated cost to copy all the records selected by the requestor. If a request is provided in installments, the District is not obligated to fulfill the balance of the request if a prior installment has not been claimed, reviewed, or paid for by the requestor.

2. Cost of Mailing and Materials. The District may charge for the actual costs of mailing, including but not limited to the cost of the shipping container and postage. The District may also charge for the actual costs of oversized photocopies, e.g., architectural drawings. The District may also charge for materials used to respond to a public records request, e.g., a CD Rom or a videotape. The District may also charge a reasonable fee to scan documents into a PDF format. The Public Records Officer is authorized to determine a fee schedule for these actual costs.

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G. Internal Review of Denials of Public Records.

1. 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 for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the Public Records Officer or designee denying the request.
2. Consideration of Petition for Review. The Public Records Officer shall immediately consider the petition and shall 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.

References: RCW 42.56  
WAC 44-14  
20 U.S.C. § 1232g

Public Records Act  
Public Records Act – Model Rules  
Family Educational Rights & Privacy Act