

Superintendent Procedure 4040SP **Public Access to District Records**

Approved by: s/Dr. Brent C. Jones Date: 4/19/24

Dr. Brent C. Jones, Superintendent



The following procedures shall be used to carry out the District's policy regarding public access to District records:

I. Public Records Officer

The District is comprised of 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 3rd Avenue South, Seattle, WA 98134.

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 person making the request has actual knowledge of the District's policy requiring requests to be sent to the Public Records Officer, the District may assert that a proper request was not submitted.

The contact information for the Public Records Officer is:

Public Records Officer
Seattle School District
MS 32-151, PO Box 34165
Seattle, WA 98124-1165
publicrecords@seattleschools.org

Contact information for the Public Records Officer is also available at the District's [website](#).

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

Any record request received by District staff other than the Public Records Officer should be immediately transmitted to the Public Records Officer.

II. Index of Certain Records

The District finds that maintaining an index is unduly burdensome and would 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.

III. Requests for Inspection and Copying

Upon request, the District shall make available to any person for inspection and copying any record or records not legally exempt.

Any person wishing to inspect and/or copy public records of the District shall make the request in person during the District's normal office hours, or in writing by letter, fax, or email addressed to the Public Records Officer. The request shall include the following information:

- A. Name, address, telephone number, and email address of the party requesting disclosure;
- B. Detailed specification of the records or types of records requested;
- C. The date the request is submitted to the District.

If a request is significant/broad, the District may make the records available on a partial or installment basis.

Public records shall be available for inspection and copying during the customary business hours of the District's central office. Any visit for the purpose of in-person inspection and copying must be pre-arranged and confirmed with the District's Public Records Officer.

The Public Records Officer shall have authority to impose reasonable conditions on the manner of inspection of records to minimize the risks of damage or disorganization of the records and to prevent excessive interference with other essential operations of the District.

Staff Lists and Directory Information

A request for a list of staff names/information must include a completed Declaration for Non-Commercial Use form, available on the Public Records website. A request for directory information under Family Education Rights and Privacy Act (FERPA), such as student names and addresses, must include a completed Directory Information Request form, also available on the Public Records website.

Identifiable Records

A request under the Washington Public Records Act, Chapter 42.56 RCW, and Board Policy No. 4040 must seek an identifiable record or records. A request for all or substantially all of the records prepared, owned, used, or retained by the District is not a valid request for identifiable records. General requests for information from the District that do not seek identifiable records are also not covered by Board Policy No. 4040.

Requesting Electronic Records

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

Requesting Board Meeting Recordings

Effective June 30, 2024, requests for recordings of board meetings made pursuant to RCW 42.30.035(2) will only be a valid request for an identifiable record when the date of the recording, or a range of dates, is specified in the request. When searching for and providing identifiable recordings, no search criteria except date must be considered by the district.

Creating New Records

The District is not obligated by law to create a new record to satisfy a public records request. 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.

Requests Not in Writing

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

IV. Processing of Public Records Requests

A response to each request for inspection and copying of District records shall be provided within five (5) business days. The District may respond by providing the requested record, denying the request, acknowledging receipt of the request and providing a reasonable estimate of the time the District requires to respond, or asking for clarification of the request and providing a reasonable estimate of the time the District requires to respond should the requestor not further clarify their request.

Any denial of a request shall contain an explanation of the statutory basis of the denial.

If the requestor fails to respond to the District's request for clarification within 30 days and the entire request is unclear, the District may close the request and not further respond to it. If the requestor fails to respond to the District's request for clarification within 30 days, and part of the request is unclear, the District will respond to the portion of the request that is clear and may close the remainder of the request. In unusual circumstances, the District may also seek a court order enjoining disclosure pursuant to law.

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 or another statute which 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 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 redaction or exemption log, or otherwise in writing.

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 in writing.

Protecting Rights of Others

In the event that requested records contain information that may affect the rights of others and may be exempt from disclosure, the Public Records Officer may, prior to providing the records, give notice of the request to such other people. The notice may make it possible for the affected persons to contact the requestor and ask the requestor to revise the request, or seek a court order to prevent or limit the disclosure.

Closing Withdrawn or Abandoned Requests

The requestor must claim or review the assembled records within thirty (30) days of the District's notification to the requestor 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 they should contact the District to make arrangements 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-day period or make other arrangements, the District may close the request and refile the assembled records.

When the requestor either withdraws the request or fails to fulfill their obligations 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.

V. Costs Associated with Public Records Requests

Under RCW 42.56.120, the District may impose a reasonable fee for providing copies of public records, which does not exceed the amount necessary to reimburse the District for its actual costs in providing public records. The District has determined that calculating the actual costs of providing public records would be unduly burdensome due to the varying types of documents requested, the number of documents maintained by the District, and the ever-changing nature of public records requests. Therefore, the District will default its costs to the fee schedules provided in RCW 42.56.120(2)(b).

The charges for production of records are as follows:

- In-person review of documents – no cost

- Photocopies of public records - \$0.15/page
- Electronic copies of records that exist in hard copy only - \$0.10/page
- Electronic documents - \$0.05 per every four electronic files or attachments uploaded to email, cloud-based data storage service, or other means of electronic delivery
- Transmission of public records in an electronic format - \$0.10 per 1 GB
- Postage and media – actual costs incurred by the District
- Customized services – actual costs, in addition to fees for copies specified above

Charges above may be combined to the extent that more than one type of charge applies to copies responsive to a particular request. The District may require a deposit not to exceed 10 percent of the estimated cost of providing copies of a request and may charge per installment.

The District may waive the fees associated with a records request where the District determines that the cost of processing payment is more burdensome than the costs associated with the request. All charges must be paid via the District's designated payment system, money order, check, or cash prior to the District providing the requested records.

The Public Records Officer or designee may also require the payment of the costs associated with an installment before providing that installment. The District may stop fulfilling a request if an installment is not paid for, inspected, or claimed within thirty (30) days, as discussed in greater detail above

VI. Review of Denials of Public Records

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.

The Public Records Officer shall promptly provide the petition and any other relevant information to the Senior General Counsel or their designee. The Senior General Counsel will immediately consider the petition and shall either affirm or reverse the denial within two business days following the District's receipt of the petition, or within such other time as mutually agreed upon by the District and the requestor.

VII. Training of Public Records Officer

The District Public Records Officer must complete trainings regarding the Public Records Act (PRA) and Public Records Retention no later than ninety (90) days after assuming the responsibilities of the public records officer. After the initial training(s), the Public Records Officer must complete refresher training at intervals of no more than four years as long as they maintain the public records officer designation. The training must be consistent with the Attorney General's model rules for compliance with the Public Records Act and may be completed remotely with technology including but not limited to internet-based training. Training must address particular issues related to the

retention, production, and disclosure of electronic documents, including updating and improving technology information services.

Approved: September 2011

Revised: April 2024; September 2022; November 2017; November 2014

Cross Reference: Policy Nos. 4040; 3231