



COMMUNITY RELATIONS

Public Access to District Records

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

District Records

District records include any writing containing information relating to the conduct of government or the performance of any governmental function which is prepared, owned, used, or retained by the district regardless of physical form or characteristics. Records include 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.

Public Records Custodian(s)

At schools, the building principal shall serve as the public records custodian who shall be responsible for the maintenance of district records in accordance with district policy. At all other sites the public records custodian shall be designated by the superintendent. The custodian(s) shall permit access to, and copying of, district records by the public upon authorization from the district's public records officer. ~~The superintendent designates general counsel as the district's public records officer.~~

Indexing of Certain Records

~~The district finds that it would be unduly burdensome to maintain a current index of district public records and would interfere with the district's educational operations. The School Board adopted Resolution 923 on September 23, 2008, declaring that the district will not maintain an index of public records.~~

~~The public records officer shall be responsible for the preparation, maintenance, and availability for inspection and copying by the public the following records or indexes:~~

- ~~A. District policies and procedures~~
- ~~B. Board meeting agendas and minutes~~
- ~~C. Resolutions approved by the school board~~
- ~~D. Affirmative Action Plans and reports~~
- ~~E. Annual school improvement plans~~
- ~~F. Annual district strategic plans and end-of-year reports~~
- ~~H. Pesticide and asbestos reports~~
- ~~I. Monthly enrollment reports~~
- ~~J. Annual reports of numbers of students qualifying for free and reduced lunch~~
- ~~K. Annual reports of student ethnicity~~
- ~~L. Annual bus ridership count reports~~

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~~M. Monthly financial reports~~

~~N. Annual budget documents and Comprehensive Annual Financial Reports~~

~~O. Records of district owned properties~~

~~P. Capital Facilities Plans~~

~~The indexes and records described above shall be kept at the district's central office.~~

~~If the public records officer determines that the indexing of one or more of the categories of records described above or one or more of the subcategories within such categories would be unduly burdensome or interfere with district operations, he/she shall request that the board adopt a formal resolution exempting such categories or subcategories from the indexing required by this section. The resolution shall specify the reasons and the extent to which indexing would unduly burden or interfere with district operations.~~

Requests for Inspection and Copying

Upon request, the district shall make available to any person for inspection and copying any record or records not exempt from public disclosure by state and/or federal law.

Any person wishing to request access to public records of the district, or seeking assistance in making such a request, should contact the **district's designated public records officer**:

Public Records Officer

Everett Public Schools

3900 Broadway, Everett, WA 98201

425-385-~~4150~~ **4188**

425-385-~~4172~~ **4012** (Fax)

publicrecords@everettsd.org

Information is also available on the district's website at www.everett.k12.wa.us

A request for inspection and/or copying of records should be made in writing to the public records officer at the address specified above and include:

- A. Name, address, and signature of the party requesting disclosure;
- B. The date of the request;
- C. Other contact information for the requestor, including telephone number and any email address;
- D. Specification of the records or types of records requested that is adequate to permit the public records officer to locate the records;
- E. A statement as to whether the requestor wants to inspect the records or to receive copies of the records; and
- F. If lists of individuals are requested, a statement that the intended use of the requested documents is not for a commercial purpose.

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Written requests shall be made to the public records officer and records shall be available for inspection and copying during the normal business hours of the district's central office: Monday through Friday, published hours, excluding legal and district holidays. The public records officer and the requestor shall make mutually agreeable arrangements for the dates and times of inspection and copying.

There is no charge to inspect public records. There will be no charge for filling requests from K-16 educational institutions or state and federal offices and no charge for up to sixteen (16) copies made within a fiscal year to fill requests from a private citizen or organization. When records are requested to be provided on a CD or USB flash drive, or similar data storage device, the district will also charge the requestor for the actual cost of these materials. Beginning with the sixteenth (16th) copy, there will be a charge of fifteen (15) cents per page (per [RCW 42.56.120](#)) which will be cumulative for each fiscal year. Alternatively, the district may choose to have an outside vendor make copies of the requested records and arrange for the requestor to pay the vendor directly.

If the requestor wants the records to be mailed, the actual cost of postage and the mailing container will be charged to the requestor. Where the requestor seeks copies of public records, the public records officer shall notify the requestor of the projected cost and whether payment will be required before the copies will be made. Fees for copying and reimbursement for mailing must be paid before the records are released.

With respect to those records which the public records officer has designated in writing as "open to inspection," the custodian at the facility where the record is kept shall have authority to grant a request for inspection and copying. With respect to all other records, a request for inspection and copying shall be granted only after review and approval of the request by the public records officer.

A response to each written 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 will need to respond, or seeking clarification of the request from the requestor. If the requestor does not provide a clarification of the request within thirty (30) days, the request shall be deemed abandoned and the request will be closed.

In the event that the requested records contain information that may affect the rights of others, the public records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice to affected persons will include a copy of the public records request.

The public records officer shall provide the fullest assistance to members of the public making inquiries or requests related to district records. Staff shall locate and produce for inspection requested records which are not exempt from public disclosure and which have been sufficiently identified in a request for inspection. The public records officer may provide such records in installments as part of a larger set of requested records if he/she determines that it would be practical to do so. The requestor must claim or review the assembled public records within thirty (30) days of notification to the requestor that some or all of the records are available for inspection or copying. If the requestor fails to claim or review the records within thirty (30) days of the date the requestor is notified that the entire request or an installment is available for inspection or copying, the request shall be deemed abandoned and the request will be closed. The assembled records may be re-filed.

The public records officer shall have authority to impose reasonable conditions on the manner of inspection of records so as to minimize the risks of damage or disorganization of the records and to prevent excessive interference with other essential operations of the district. This may include having a district employee monitor the inspection or copying of the records by the requestor.

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.

Exemptions from Disclosure

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 public disclosure if any other statute exempts or prohibits disclosure.

The following other statutes restrict the availability of some district records:

- [RCW 5.60.060](#) Who is disqualified—Privileged communications
- [RCW 5.60.070](#) Mediation
- [RCW 10.97.050](#) Restricted, unrestricted information—Records
- [RCW 26.44.010](#) Abuse of children—Declaration of purpose, and [RCW 26.44.030](#)—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
- [RCW 42.23.070](#)(4) Prohibited acts
- [RCW 42.41.030](#) Local government whistleblower protection—Right to report improper governmental action—Policies and procedures, and [RCW 42.41.045](#)—Prohibition on intimidation of whistleblower—Nondisclosure of protected information
- [RCW 43.43.834](#)(5) Background checks by business, organization, or insurance company—Limitations—Civil liability
- [Chapter 70.02 RCW](#) Medical records—Health care information access and disclosure
- [20 U.S.C. § 1232g; 34 CFR Part 99](#) Family Education Rights and Privacy Act

Where public records are withheld as exempt, in whole or in part, the public records officer shall briefly describe why each withheld record or redacted portion of a record is exempt from disclosure. The public records officer may condition access to a public record containing a list of individuals on the requestors promise that the record will not be used for a commercial purpose.

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The above list includes exemptions that may be in addition to those set forth in [Chapter 42.56 RCW](#). Under appropriate circumstances, the district may rely upon other legal exemptions that are not set forth above or contained within the public disclosure law.

In addition to those noted above, significant exemptions identified in the Washington Public Records Act include:

- **[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.**
- **[RCW 42.56.230\(1\)](#) exempts personal information in any files maintained for students in public schools.**
- **[RCW 42.56.230\(2\)\(iii\)](#) exempts a student's personal information in any records pertaining to the student, including correspondence.**
- **[RCW 42.56.250\(1\)\(i\)](#) allows an employee who is a survivor of domestic violence, sexual assault, sexual abuse, stalking, or harassment to submit documentation to the district allowing the district to exempt their name and other personally identifying information from public disclosure.**

The above listed exemptions are for informational purposes only and are not intended to cover all possible exemptions from the public records law.

Cross references:

[Board Policy 4340](#)
[Board Policy 6115](#)

Public Access to District Records
Fees, Fines and Charges

Adopted: September 1981
Revised: October 24, 1994
Revised: April 22, 1996
Updated: May 1999
Revised: April 2003
Updated: July 2003
Revised: February 2006
Revised: December 2008
Revised: September 2010
Updated: January 2012
Revised: January 2017
Updated: March 2017
Updated: February 2018
Updated: September 2018
Updated: February 2020
PROPOSED: September 2023