



Board of Directors Business Meeting
Agenda Action Item

Item Title

SECOND READING OF REVISED POLICY 4040 - PUBLIC ACCESS TO DISTRICT RECORDS

Department

Legal

Board Meeting Date

November 13, 2025

Background

Policy 4040 is being updated to align with Washington State law and reaffirm the District's commitment to transparency and public accountability. The policy ensures full access to records related to the administration and operations of the District, while balancing the need for efficient governance and the protection of individual privacy. The proposed revisions aim to clarify procedures and support consistent, lawful access to public records. The accompanying regulation is also going through the review process.

Current Consideration

The Board is currently being asked to review this policy as part of the ongoing evaluation and refinement process to ensure alignment with District goals and regulatory standards. This policy was reviewed by the Equity Policy Review Team on November 5, 2025. There was a comment received from a community member.

Fiscal Implication

None.

Recommendation

The General Counsel on behalf of the Public Records Manager recommends the Board of Directors adopt the revised draft proposal of Policy 4040.

Strategic Benchmark

Partnership and Participation

Approved By

General Counsel, Malik Gbenro

PUBLIC ACCESS TO DISTRICT RECORDS

PURPOSE

Consistent with Washington State law, the Board is committed to providing the public full access to records concerning the administration and operations of the District. Such access promotes important public policy, maintains public confidence in the fairness of governmental processes, and protects the community's interest in the control and operation of its common school district. At the same time, the Board desires to preserve the efficient administration of government and acknowledges the privacy rights of individuals whose records may be maintained by the District. This policy and the accompanying procedure are intended to facilitate access to school district records without compromising operational efficiency or privacy rights.

As used in this policy and the accompanying procedure, "school district records" is a broad term that includes any writing containing information relating to the conduct of the District or the performance of any District governmental or proprietary function prepared, owned, used, or retained by the District regardless of physical form or characteristics. A "writing" as used in this policy and procedure is likewise a broad term that means any handwriting, typewriting, printing, photocopying, photographing, or other means of recording any form of communication or representation. Included within these definitions are 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.

"School district records" are records that are required to be retained by the District and are created, used, or maintained by District employees or individuals acting within an official District capacity. Records held solely by volunteers who do not serve in an administrative capacity, have not been appointed by the District to a District board, commission, or internship, and do not have a supervisory role or delegated District authority are not considered school district records. The definition of "school district records" does not include records that are not otherwise required to be retained by the District and are held by volunteers who do not serve in an administrative capacity, have not been appointed by the District to a District board, commission, or internship, and do not have a supervisory role or delegated District authority.

In accordance with RCW 42.56.070(4), which allows a local agency to forgo maintaining a current index if doing so would be unduly burdensome or interfere with agency operations, Bbecause of the tremendous volume and diversity of records continuously generated by a public school district, the Board finds that trying to maintain a current index of all of the District's records would be impracticable, unduly burdensome, and ultimately interfere with the operational work of the District.

The Superintendent will develop—and the Board will periodically review—procedures consistent with state law that will facilitate this policy. The Superintendent will also appoint a Public Records Officer who will serve as a point of contact for members of the public who request the disclosure of public records. The Public Records Officer will be trained in the laws and regulations governing the retention and disclosure of records, and shall oversee the District's compliance with this policy and state

Policy 4040
Community Relations

~~law. Access to documents concerning the administration and operations of the District shall be afforded to the public as provided by the Public Records Act, consistent with the right of individuals to privacy and of the efficient administration of the district. Public access to District Records shall be provided according to the procedures developed by the superintendent and periodically reviewed by the board.~~

~~“District Records” include any writing containing information relating to the conduct of operations and functions of the District which is prepared, owned, used, or retained by the District. “Writing” means handwriting, typewriting, printing, photocopying, photographing, and every other means of recording any form of communication or representation, including but not limited to letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, electronically stored data including e mail, diskettes, sound recordings and other documents including existing data compilations from which information may be obtained or translated.~~

~~The superintendent or designee shall serve as “Public Records Officer” with responsibility and authority for ensuring compliance with the availability, inspection, and copying requirements of state law and this policy. He/she shall authorize the inspection and copying of the District’s records only in accordance with the criteria set forth in this policy.~~

~~The District shall make available for public inspection and copying all District Records except those exempt from disclosure under law, including but not limited to the Family Educational Rights and Privacy Act and RCW 42.56.~~

Cross Reference:
~~Policy 1600 – Anti-Racism~~

~~Board Policy 3231 – Student Records~~
~~Policy 1600 – AntiRacism~~

Legal Reference:
20 USC Section 1232(g) Family Educational Rights and Privacy Act
RCW 42.56 Public Records Act
Chapter 28A.605.030 RCW Student education records
Chapter 40.14 RCW Preservation and destruction of public records

Adoption Date: 2/11/1999

Revised Date: Amended: 2/24/2011, xx/xx/2025

PUBLIC ACCESS TO DISTRICT RECORDS

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Cross Reference:

Policy 1600 - Anti-Racism

Policy 3231-Student Records

Legal Reference:

20 USC Section 1232(g) Family Educational Rights and Privacy Act

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