

PUBLIC ACCESS TO NWESD 189 RECORDS

Consistent with Washington State law, the Board is committed to providing the public full access to records concerning the administration and operations of the NWESD 189. 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 educational service 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 NWESD 189. This policy and the accompanying procedure are intended to facilitate access to NWESD 189 records without compromising operational efficiency or privacy rights.

As used in this policy and the accompanying procedure, "district records" is a broad term that includes any writing containing information relating to the conduct of the NWESD 189 or the performance of any NWESD 189 governmental or proprietary function prepared, owned, used, or retained by the NWESD 189 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 NWESD 189-operated or NWESD 189-sponsored website. The NWESD 189 will retain public records in compliance with state law and regulations.

The definition of "district records" does not include records that are not otherwise required to be retained by the NWESD 189 and are held by volunteers who do not serve in an administrative capacity, have not been appointed by the NWESD 189 to a NWESD 189 board, commission, or internship, and do not have a supervisory role or delegated NWESD 189 authority

Because of the tremendous volume and diversity of records continuously generated by an educational service district, the Board has determined that trying to maintain a current index of all of the NWESD 189's records would be impracticable, unduly burdensome, and ultimately interfere with the operational work of the NWESD 189. Additionally, the Board hereby finds that it would be unduly burdensome to calculate the costs of producing public records, given the multiple different electronic and manual devices used to produce public records, as well as the fluctuating costs of NWESD 189 supplies and labor.

The Superintendent will develop 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 NWESD 189's compliance with this policy and state law.

First Reading: 08/05/81 (as 1100)

Reference:

NORTHWEST EDUCATIONAL SERVICE DISTRICT 189

POLICY 4040

Second Reading:	11/25/91 (as 1110 and 1120)	RCW 5.60
Revised:	12/18/91 (as 1100, 1110, and 1120)	RCW 13.04.155(3) RCW 26.44.010
Revised:	02/24/91 (as 1100)	RCW 26.44.030(9)
Revised:	04/25/01 (recodified 4040)	RCW 28A.605.030
Revised:	03/24/10	RCW 28A.635.040
Revised:	05/23/12	RCW 40.14
Revised:	05/27/15	RCW 42.17A
Revised:	01/27/16	RCW 42.56
Revised:	08/16/17	WAC 392-172A 20 USC § 1232g 20 USC § 1400 41 USC § 290dd-2 42 USC § 1758(b)(6) 34 CFR Part 300 45 CFR Part 160-164