



# **Records Management Manual for Educational Service Districts and School Districts in Washington State**

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**Washington Association of School Business Officials  
Records Management Committee  
May 2010**

This manual defines the components of a good records management program. It contains detailed descriptions of processes and procedures that are intended to help school districts establish and maintain efficient office filing systems that meet their daily operational needs.

# **Records Management Manual for Educational Service Districts and School Districts in Washington State**



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Manual prepared by WASBO  
Records Management Committee  
May 2010

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The processes, procedures and examples in this manual are recommendations only. This information may be incorporated into your district policies and procedures as appropriate. We encourage you to reproduce and modify this document, in whole or part, to meet the needs within your educational service district or school district.

"Scribes even recognized-perhaps through bitter experience-the need to take preservation precautions..(so) clay tablets would not become brittle and crumble in the hot Mesopotamian climate. The Eanna temple in Uruk equipped its storage room with an ingenious "air-conditioning system, featuring a grooved floor...water could flow and evaporate to ensure proper humidity for records preservation." 625 - 520 BCE. *Excerpted from Archives Power: Memory, Accountability, Social Justice, by Rand Jimerson.*

*King Ashurbanipal, who ruled Assyria from 668 to 627 BCE, boasted... "I wrote on tablets, I arranged [the tablets] in series, I collated [them], and for my royal contemplation and recital I placed them in my palace."*

"Without records, there can be no democracy or accountability. Without evidence of accountability, society cannot trust in its public institutions."  
- 1998, John McDonald, *Canadian Archivist*, excerpted from *Archives Power: Memory, Accountability, Social Justice*, by Rand Jimerson.

"Wonderful, you men of Athens, wonderful is the custody of the public records." *Aeschines, Greek statesman and orator, 389 - 314 BC.*

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# INTRODUCTION

## INTRODUCTION

The Records Management Program provides a comprehensive, cohesive and compliant system for the management of all district records. An effective records management program is vital to the success of the district and requires the cooperation of every school and department. Every employee has an important role to play in protecting the district by creating, using and disposing of records in accordance with district policies and procedures, state statutes and federal law. The absence of effective practices could have a tremendous impact on the efficiency and cost effectiveness of the district. Good records management results in more time, more energy, more money and more space for educating students.

This manual will clearly define the components of a good records management program. The objective is to bring a consistent approach to record keeping practices, free up valuable office space and ensure the retention of vital documents. This manual contains detailed descriptions of processes and procedures that are intended to help schools and departments establish and maintain efficient office filing systems that meet their daily operational needs. The information is intended to be accurate, authoritative and simple to understand.

Foremost, this is a reference manual. Please take the time to familiarize yourself with the *Table of Contents* so you will know where to look when you have a question. You will be able to answer most of your questions by referring to this manual, including:

- Who do I contact for help matching a record to a Records Schedule?
- How do I determine the appropriate Retention Period?
- Do I have the primary copy? Who has the secondary copy?
- How do I differentiate between a record and a non-record?
- What do I do with historical records?
- Should I dispose of records by recycling or shredding? Why does it matter?
- Where do I get storage boxes? How should they be labeled?
- I'm new. Is additional help available?

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## RECORDS CENTER



## **RECORDS CENTER**

An in-district Records Center's purpose is to provide economical storage, timely retrieval, facility security, document processing and legal disposal for semi-active and inactive records generated by school districts.

The goal is to manage records in a way that best serves the school district's needs, while protecting the district from legal and fiscal liability. A Records Center provides low-cost storage, service and disposal of records.

Storing records in the Records Center instead of office space is a more efficient use of space resources. The stored records are secure and easily retrieved.

Below are examples of responsibilities of positions in a Records Center:

### **RECORDS CENTER LEAD/COORDINATOR:**

- Will ensure that the District references current, Records Retention Schedules approved by the Local Records Committee.
- Will assist with procedures in filing, storage, destruction of district records and help determine how long records are required to be stored.
- Receives, maintains and sends withdrawn student records.
- Determines what records should be microfilmed or scanned.
- If needed, provides on-site training.
- Maintains archival and historical storage of district records.
- Creates internal retention schedules for departments and schools.

### **RECORDS CENTER CLERK:**

- Maintains district documents on paper, microfiche, or electronically, as applicable.
- Scans documents for on-line storage.
- Is the back-up resource in the absence of the Records Center Lead.

### **RECORDS CENTER SUPPORT CLERK:**

- Receives and sends withdrawn student records.
- Provides copies of student records.

Small school districts are especially challenged to set up a Records Center because of resources, space and staffing. They can still set up a Records Management Program, including a separate storage area for inactive records that still have a retention period. It will be on a smaller scale than larger school districts.

## **Services provided by a Records Center:**

- Temporary Inactive Records Storage: Semi-active and inactive records should be considered for transfer from active office filing space to the Records Center. Having fewer files in the school or department makes office retrieval and filing of records more efficient. It also reduces cost in equipment and staffing.
- Effective Check Out System: Records sent to the Records Center can be checked out. The Records Center documents to whom the records were checked out and a follow-up to be done to make sure they are returned to the Records Center.
- Permanent Records Storage: The Records Center can provide safe, secure storage for all district permanent records. This includes historical records.
- Storage of Records in other Media: The Records Center may store primary and secondary records regardless of format. The items must be properly labeled.
  - Common formats for primary records may include: paper, photos, negatives, magnetic tapes, microfiche, etc.
  - Secondary (duplicate) copies may be any of the above or CDs. (CDs are not recommended for long term storage.)
- Microfilming of Documents: The Records Center may film non-archival records to reduce storage space. The records must have a retention period over six years in order for filming to be cost effective.
- Scanning of Documents: Records may be scanned for access purposes only. If your district wishes to destroy original non-archival records after scanning, approval must first be granted by the Washington State Archives.
- Records Retention Scheduling: Records Center staff meets with departments to create internal retention schedules designed for their departments, as requested.
- Research Assistance: Records Center staff can provide assistance in research of records and historical materials.
- Retrieval of Information: The Records Center staff can provide information from the records that are stored at the Records Center. Information to be released as directed by federal laws, state laws and district policies and procedures.

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## **RECORDS MANAGEMENT RESPONSIBILITIES**

## **RECORDS MANAGEMENT RESPONSIBILITIES**

Individual schools and programs have primary responsibility for the proper and legal management of their records. Principals and program managers are responsible for ensuring that the retention and disposition of public records is in accordance with current approved records retention schedules. Some responsibilities include:

1. Ensuring that the district references current records retention schedules approved by the Local Records Committee.
2. Assisting with procedures in filing, storage, destruction of district records, and helping determine how long records are required to be stored.
3. Receiving, maintaining and sending withdrawn student records.
4. Determining what records should be microfilmed and/or scanned.
5. Providing on-site training, as needed.
6. Maintaining archival and historical storage of district records.
7. Creating internal retention schedules for departments and schools.
8. Maintaining district documents on paper, microfiche, microfilm, or electronically, as applicable.
9. Scanning documents for online access.
10. Providing copies of student records.

For entities with an established Records Center, the following is a more specific breakout of level responsibilities.

The District Records Manager directs the Records Management Program with the assistance of Records Coordinators in each school and program. The specific responsibilities of the District Records Manager and Archivist, the Principal/Program Manager, and the Records Coordinator are listed below.

### **DISTRICT RECORDS MANAGER RESPONSIBILITIES**

The individual responsible for the entire District's records management procedures, including retention scheduling, file organization, records storage, and destruction.

The District Records Manager updates and reissues a School Records Retention and Destruction Activity Log annually to reflect changes and additions to the records retention schedule. They coordinate the archives and records, which includes the following:

- Conducts workshops with school/program Records Coordinators.
- Coordinates the development of records retention and disposition schedules.
- Serves as records liaison between the District and the Washington State Division of Archives and Records Management.
- Represents the School District to the State Local Records Committee in matters related to the disposal of District records.
- Assists in schedule revisions and updates submitted by schools/programs and consults with Records Coordinators about records retention and transfer recommendations.
- Submits suggested retention schedule revisions to the WASBO Records Management Committee.
- Provides information about the physical disposal of eligible records.

#### **PRINCIPAL/PROGRAM MANAGER RESPONSIBILITIES**

- Designates a staff member as Records Coordinator and delegates the day-to-day responsibilities for records management to that person. The person designated as Records Coordinator should be familiar with the school's operations and its files.
- Ensures that the Records Coordinator understands his or her responsibilities.
- Ensures that all staff knows who the Records Coordinator is and what his or her responsibilities are.

#### **RECORDS COORDINATOR RESPONSIBILITIES**

Each **Records Coordinator** is responsible for identifying new records as they are discovered, created, or received, and for consulting with the District Records Manager to determine the minimum retention requirements. Records may **not** be destroyed unless they are covered by a current approved records retention schedule.

The Records Coordinator, within his or her school/program, is responsible for:

- Attending workshops and meetings for Records Coordinators.
- Distributing retention schedules to the appropriate people within the school/program.
- Maintaining records management files and schedules.
- Recommending schedule revisions and additions to the District Records Manager and Archivist.
- Assisting in retention schedule implementation and evaluation.
- Documenting and authorizing the physical destruction of records eligible for disposal.
- Coordinating the physical disposal of eligible records for destruction.

## RECORDS MANAGEMENT CONTACT INFORMATION:

[Insert your district's contact information]

[  
[  
[  
[

Washington State Archives  
1129 Washington Street SE  
PO Box 40238  
Olympia WA 98504-0238  
(360) 586-1492  
<http://www.sos.wa.gov/archives/>

Washington Association of School Business Officials (WASBO)  
284 Lee Street SW, Suite 132  
Tumwater, WA 98501  
Phone: (360) 528-2025  
FAX: (360) 528-2028  
Toll Free: (800) 524-4706 (WA Only)  
Email: [admin@wasbo.org](mailto:admin@wasbo.org)  
<http://www.wasbo.org/>

### Washington State Archives – Regional Branches

For regional contact information: <http://www.sos.wa.gov/archives/>



## **SERVICES PROVIDED BY YOUR DISTRICT:**

### **Records Storage - Permanent:**

For records that have a sufficient legal, fiscal, and/or historical value to be retained indefinitely. A very small portion of District records need to be kept permanently or for a very long time. For schools, the most obvious example of a record that needs to be kept for a very long time (100 years) is the official record that documents a student's educational progress (that is, the high school transcript, the middle school course history summary, and the elementary school enrollment history record, also known as the elementary permanent record card).

**Records Storage - Inactive:** Semi-active and inactive records should be transferred from active office filing space to the designated records storage site. Having fewer files in the school or department makes office retrieval and filing of records more efficient. It also reduces cost in equipment and staffing.

**Effective Checkout System:** All records sent to the records storage site may be checked out. The records storage site will document to whom the records were checked out and a follow-up will be done to make sure they are returned. The originating office will be asked for approval if the requestor is not from their office.

All District publications, regardless of medium or form, have permanent historical value. Every school and program is asked to send two copies of each publication to the Archives and Records Manager, where they are stored, and retrieved for research purposes.

The records storage site will provide safe, secure storage for all district permanent records. This includes historical records.

**Historical Materials Storage:** Storage for historically valuable items, such as student publications (annuals/yearbooks and newspapers), commencement programs, trophies, banners, and photographs, should be sent to your District's records storage site. Every effort is made to preserve and protect the items and to provide access for research and display purposes. Typically, one to five percent of a school district's total records have historical value.

**Records Storage - Format:** The Records Center may store primary and secondary records regardless of format.

- Common formats for primary records may include: paper, photos, negatives, magnetic tapes, microfiche, etc.
- Secondary (duplicate) copies may be any of the above or CDs. (CDs are not recommended for long term storage.)

**Microfilming of Documents:** The records storage site staff will work with individual departments/schools in having their records filmed to reduce storage space. The records should have at least a six-year retention period in order for filming to be cost effective. Microfilm copies of public records, which meet state standards and are officially sanctioned, have the same legal status as the paper originals (**RCW 40.20.020** and **RCW 5.46.010**).

**Scanning of Documents:** The records storage site staff will work with individual departments/schools in having their records scanned to reduce storage space. Conversion to an imaging system does not automatically authorize the destruction of the source documents from which images have been created. If your district wishes to destroy original non-archival records after scanning, approval must first be granted by the Washington State Archives (**WAC 434-663** and **RCW 40.14**).

**Records Retention Schedule - Official:** The Records Manager will ensure that agency staff are utilizing the current records retention schedules approved by the Local Records Committee. <http://www.sos.wa.gov/archives/>

**Records Retention Schedule - Internal:** The Records Manager will meet with departments to create internal retention schedules designed for their departments, as requested.

**Research Assistance:** The Records Manager will assist in the research of records and historical materials, when requested.

One of the primary aims of the Records Management Program is to ensure the ready availability of records that have long-term administrative, legal, or historical value. In accordance with the Family Educational Rights and Privacy Act (FERPA) and the Public Disclosure Act, public records, district publications, and historical material transferred to the records storage site are available for inspection, by appointment, during regular working hours.

The Records Center assists individuals with records research by helping to find the needed materials and providing photocopies of records at a charge that does not exceed the actual cost of reproduction.

Archival material is generally not circulated. Certain items might be released for a temporary exhibit or display, but only if their physical protection and preservation is ensured.

**Retrieval of Information:** The Records Manager will retrieve and provide information pertaining to the records stored at the records storage site. Information will be released as directed by federal laws, state laws and district policies and procedures.



**Filing System:** Proper file maintenance in your office is the foundation of effective record-keeping. Each department or school has different needs and this must be kept in mind when developing a record filing system. Keep the following in mind when determining how your records are going to be stored:

- What records need to be grouped together?
- Which records do you need most frequently?
- How long do the records need to be stored?
- Be consistent.
- Document your procedures.
- Have procedures set up for your electronic records.
- Remember the retention period is the same as if it were on paper.
- Back up your electronic records.
- Records must remain usable, retrievable and authentic for the length of the designated retention period.
- Records need to be securely preserved.

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# MANAGING YOUR RECORDS

## MANAGING YOUR RECORDS

Records include any paper, correspondence, form, bound volume, film, magnetic record, drawing, or other document (regardless of format), including copies, that have been created or received by the District (**RCW 40.14.010**, **WAC 434-610-010** and **WAC 434-662**).

Many records created by schools are protected from disclosure by FERPA, HIPPA and other regulations.

Proper file maintenance in your office is the foundation of effective recordkeeping. Each department or school has different needs and should be considered when developing your record filing system.

Keep the following in mind when determining how your records are going to be stored:

- What records need to be grouped together?
- Which records do you need most frequently?
- How long do the records need to be stored?
- Be consistent.
- Document your procedures.
- Have procedures set up for your electronic records.
- Approved retention periods apply regardless of format.
- Back up your electronic records.
- Records must remain usable, retrievable and authentic for the length of the designated retention period.
- Records need to be securely preserved.

Many school/department records are duplicated and may be stored in various offices. It is important to determine who is retaining the primary copy, as secondary copies have a shorter retention period.

### Benefits and Risks Associated with Records Management

- Public records designated as Archival or Permanent shall not be destroyed. Records designated as Potentially Archival or Appraisal Required must be appraised by the Washington State Archives before disposition.
- Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records shall be managed in accordance with the agency's policies and procedures for legal holds.
- Public records must not be destroyed if they are subject to an existing public records request in accordance with **RCW 42.56**. Such public records must be managed in accordance with the agency's policies and procedures for public records requests.

### **Benefits and Risks Associated with Records Management (continued)**

- Keep storage costs down by destroying records after their useful lifespan and they have met their minimum retention.
- Good records management facilitates the ability to retrieve important documents when needed.
- Audits. If procedures are not consistent it is difficult to provide information when requested.

The State Auditor's Office takes a risk-based approach to auditing; looking at those areas determined to be of highest risk. Therefore, auditors do not request/review all possible records at every audit. If records are maintained and retained according to current, approved records retention schedules, the auditor will never request records the district does not have. Visit the State Auditor's Office website at [www.sao.wa.gov](http://www.sao.wa.gov) for more information.

## **OUR INVESTMENT IN RECORDS**

### **Records Creation**

Each inch of file space contains up to 160 pieces of correspondence, reports, or forms. Original correspondence has been reliably estimated to cost as much as \$12.00 in professional and clerical time to prepare. That adds up to as much as \$1,920.00 per inch or \$48,000.00 per file drawer in value.

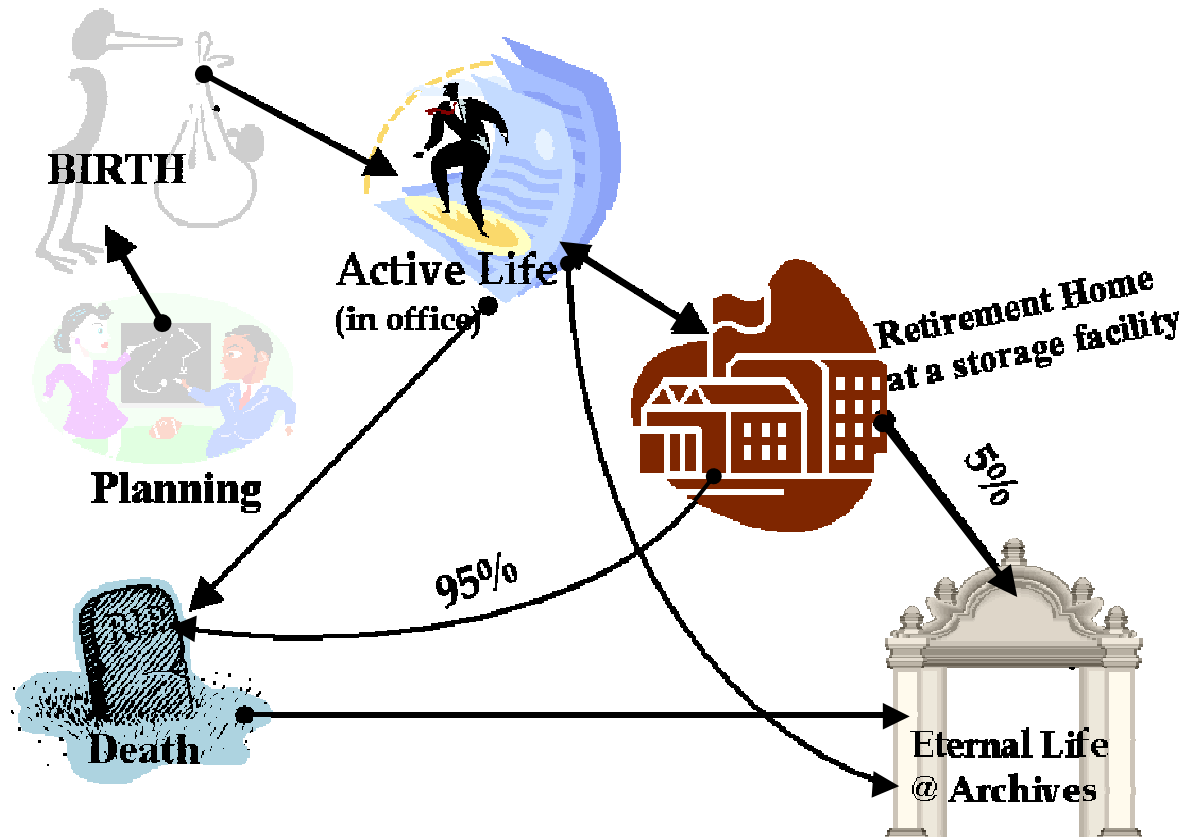
### **Records Maintenance**

The average annual cost of filing and retrieval is about \$48.30 per file inch in clerical and supervisory costs.

### **Records Storage**

The average cost of office space is about \$12.00 per square foot per year. On that basis, it costs \$96.00 per year to house each letter-size four-drawer filing cabinet and \$144.00 per year to house each legal-size four-drawer filing cabinet.

# The Public Records Life Cycle



## ACTIVE AND INACTIVE RECORDS

To determine if a record is active or inactive, the following formula is helpful.

- Active equals fiscal year.
- Semi-active equals through audit period.
- Inactive equals remainder of retention period.

## E-mail Records

Electronic mail (e-mail) is primarily a communication system. Individual e-mail messages may be public records with legally mandated retention requirements, or may be information with no retention value. E-mail messages are public records when they are created or received in the transaction of public business and retained as evidence of official policies, actions, decisions, or transactions. Such messages must be identified, filed, and retained just like records in any other format.

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## RETENTION SCHEDULES

## RETENTION SCHEDULES

The Local Records Committee approves records retention schedules for commonly held records for all school districts in the State of Washington. Public records covered by records series within these schedules (regardless of format) must be retained for the minimum retention period as specified in the schedule. If you are unable to identify a records series to cover a school district record, then the record cannot be destroyed until the Local Records Committee has approved its destruction.

Records retention schedules can be accessed at the Washington State Archives website. Agency heads should take measures to ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

<http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx>

The current, approved records retention schedules that cover all public records created or received by school districts are:

- ***School Districts and Educational Service Districts Records Retention Schedule***
  - This schedule covers records that pertain specifically to school districts, such as student records, student attendance, teaching records, etc.
- ***Local Government Common Records Retention Schedule (CORE)***
  - This records retention schedule covers the public records of all local government agencies relating to the common functions of the management of the agency, and management of the agency's assets, finances, human resources and information resources. Examples include: board minutes, payroll records, personnel records, library records, financial and budget records, electronic information systems, etc.

**SEARCHING THE DATABASE:** A database containing all approved records series is available on the Washington State Archives website. You have the ability to search the databases using a key word.

- To access the search function, click on “Search Database” at the top of the web page.
- There are two drop down menus that should be adjusted prior to beginning your search.
- Click on the checkmark next to the “Schedule” box, click on the box next to “CORE” then, click on the box next to “SCHOOLS”.
- Click on the checkmark next to the “Record Category” box and click on the “Select All” box.
- Enter a key word in the “Search For” box and then click on “View Report”.
- This will bring up all the records series that contain your searched word. You can broaden or narrow your search as needed. It is best to start with a simple word to ensure that you locate all records relating to your search. For example, enter “time” instead of “time card”; enter “bus” instead of “buses”; enter “card” instead of “report cards”.

By using current, approved records retention schedules, you can ensure that all district records are retained and disposed of in accordance with **RCW 40.14.070**.

Non-archival records may be destroyed after their minimum retention period has been met unless they are needed for pending litigation or to fulfill an outstanding or reasonably anticipated public records request.

While records may be retained beyond the minimum retention period, Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of local resources.

Records designated as Archival must not be destroyed. Contact your Regional Archivist for appraisal. These records may be selected to be transferred to and preserved at a Regional Archives branch.



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## ARCHIVES

# **ARCHIVES**

## **ARCHIVE STORAGE**

Records that must be retained for an extended period of time should be stored in a centralized storage area, making for easy retrieval. Transmittal and disposition forms, archive boxes and labels should be used.

## **ARCHIVE BOXES**

Acid-free archive storage boxes may be ordered from your regional Washington State Archives (<http://www.sos.wa.gov/archives>). Many vendors also provide sturdy acid-free archive boxes. The State currently has a contract with Pacific Container Corporation. ( <https://fortress.wa.gov/ga/apps/ContractSearch/ContractSummary.aspx?c=02308> ).

You will need to order approximately two (2) boxes for each full, letter-size, file drawer or three (3) boxes for each full, legal-size file drawer.

### **Do not send any items/records to be stored unless:**

1. You have filled out the required Transmittal form;
2. The records are in archive boxes; and
3. You have put an Archive Box Label on the front of the box.

## **Determining What Records to Send to the Records Storage Site**

Generally records are kept in the department or school where they were generated, until they are rarely referred to. The active period for most records is one or two years. If you have records that have a retention period longer than two years, keep them for two years in your office, then send them to the records storage site for the balance of their retention period.

For example: purchase orders have a retention period of six years. The originating office will store their records for two years and then send them to the records storage site for the remaining four years.

## **Preparation of Records**

Records should be separated from other materials (non-records) such as memorabilia, text books, exhibit materials, etc.

## **Packing of Archive Boxes**

When packing records in archive storage boxes, please remember:

1. Boxes must be the standard archives box.
2. All records that are packed in boxes should be listed on a Records Transmittal and Disposition Form.
3. Pack records in an upright position, except computer printouts, which can be stored flat.
4. Pack records in the same order as they were filed in your office. Remove binders, hanging files or other similar devices which make packing into cartons difficult.
5. Do not pack files too tightly in the carton, as this hinders easy retrieval. Leave approximately one inch of space in each carton.

## **Archive Box Label**

Label each archive box with an Archive Box Label. Use good quality permanent label paper so your label does not fall off of the box. *Starliner* is one of many vendors that carry archival quality adhesive paper. It comes in sheets of 8 ½ x 11 paper. You can print multiple labels on each sheet and cut them.

([http://mactac.com/fileadmin/user\\_upload/Sheet/Sales\\_Literature/MAC0350\\_Starliner\\_Catalog.pdf](http://mactac.com/fileadmin/user_upload/Sheet/Sales_Literature/MAC0350_Starliner_Catalog.pdf))

The information on the label will either be filled in by the sender or by the records storage site staff, depending on your practices.

The Archive Box Label is placed on the front of the box in the area marked "PLACE LABEL HERE".

**Archive ID:** Usually assigned and completed by the records storage site staff.

**Box Label or Bar Code:** Assigned and completed by the records storage site staff.

**School/Department Name and/or Number**

**Box Number:** Usually assigned and completed by the records storage site staff.

**Record Title and Brief Description:** Including Disposition Authority Number (DAN)

**Inclusive Dates**


**Retention Period**

**Destruction Year**

## **HAVING BOXES PICKED UP**

When the boxes are ready to be sent to the records storage site, follow your district's designated process.

[illegible]

 <p>North Thurston Public Schools No. 3</p> <p>Archive ID Number</p> <p>Box Label</p>	DEPARTMENT/SCHOOL	BOX NUMBER
	RECORD TITLE & DESCRIPTION	INCLUSIVE DATES
	RETENTION PERIOD	DESTRUCTION YEAR

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## RETRIEVING STORED RECORDS

## RETRIEVING STORED RECORDS

Retrieving records stored at a records storage area should be a simple request by using e-mail, phone call, district online program (if available) or other written format.

Even though records are stored at the records storage area until their retention has been met, each department/school still has custody over them. Schools/departments have the responsibility of maintaining a log of their archive boxes that have been sent to the records storage area. The log should include:

- date sent to records storage area
- box number, archive ID number or other unique identifier that may have been assigned by the records storage personnel
- records retention schedule name, records series title, and Disposition Authority Number (DAN)
- description of documents in box
- inclusive dates of documents in box
- retention period
- destruction year

This same information should be on each box label. A detailed description of documents in each box will insure that departments/schools will request the correct box. This practice will save time and money for the district. The information can be kept on any electronic spreadsheet. Therefore, retrieving records can be as simple as requesting a box number.

The records storage area should be a very basic setup so retrieval of records is quick and simple. Using an electronic spreadsheet with the same information as mentioned above, records storage personnel can add columns for assigning an archive box number and the location of each box within the storage area. Once a box has been given a number, the information can be e-mailed back to the department for their log sheet.

When a school/department requests a box, they can submit a written request, e-mail or phone the record storage personnel with the assigned box number. It is the responsibility of the records storage personnel to document to whom and when the box was sent/returned. Again, you can use your spreadsheet.

Whether you are requesting records or filling a request for records, keep it simple, be consistent, and use good documentation practices.

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## **HISTORICAL RECORDS**

## HISTORICAL RECORDS

Records may have a historical value after they have met their required minimum retention. Artifacts and memorabilia exist all over a school district. This is fine, but also a problem, because it is often assumed that these items have only nostalgic value that may not seem to carry much importance.

However, their value lies in all of the above in addition to the trust they inspire from the general public (especially anyone connected to closed schools) in the district for having retained those items that memorialize early educational experiences.

There is another very important value in retaining historical materials. Community celebrations often involve school histories, and what better way to celebrate than with the physical artifacts of bygone days.

Finally, their value lies in recording customs, cultures and educational practices that are often at first glance not apparent. For example, a school paddle indicates that the school district condoned corporal punishment.

A Records Center may provide storage space for the district's historical materials. It should be stored in an archive-approved location. The items may be checked out as needed by the departments or schools.

District historical records help in current decision making and in future planning by describing the past and how it has influenced prior decision-making.

### COMMON HISTORICAL ITEMS:

**Records designated as archival** – The primary record must be appraised by Washington State Archives prior to disposal. Secondary copies are not archival and may be retained according to school district policy.

Building dedications	Publications	Annual reports
Budget reports	Photographs	Negatives
Architectural drawings	Scrapbooks	Audio recordings
Newspaper clippings	Dedication programs	Newsletters
Slides	Academic items	School bulletins
Yearbook	Report of evaluation of accreditation	

**Memorabilia** - These items do not have minimum retention requirements and should to be retained according to school district policy.

Event programs	Banners	Posters
Published school history	PTO newsletters	Sports items
Time capsules		



The best storage area for district historical records is in an archive-approved storage area, such as a storage facility in a concrete building, which reduces the chance of destruction by natural disasters. The humidity and temperature should be set as recommended by the Washington State Archives.

**HOW TO DETERMINE IF RECORDS DESIGNATED AS NON-ARCHIVAL (THAT HAVE MET THEIR MINIMUM RETENTION) AND/OR MEMORABILIA SHOULD BE STORED FOR HISTORICAL PURPOSES:**

- Is it valuable information for the community?
- Would it be useful for preparation of bonds or levies?
- Does it document good historical information for district or school?
- Is it information that would be useful in historical research?
- How much storage space will be required?
- Is this the best media for storage of information?
- Is the information important in planning for the future?

**HISTORICAL SERVICES PROVIDED BY RECORD CENTER MAY INCLUDE:**

- Assist in researching history.
- Assist in presentations for public relations.
- Assist in preparing and evaluating documents for storage.

**Storing of historical papers:**

The best method of storing historical papers is in acid-free archive storage boxes. Boxes may be obtained from your Records Center or the Washington State Archives (<http://www.sos.wa.gov/archives>). If boxes are to be stored at the Records Center, a Records Transmittal Form needs be filled out.

The following should be done to preserve records:

1. Unfold and carefully flatten papers.
2. Remove paper clips, staples and rubber bands.
3. Provide information needed to identify records.

**STORING OF DISTRICT PHOTOGRAPHS:**

Photographs should be stored in a good environment to protect them from creases, fading or water damage. Three things that cause damage to photographs: humidity, temperature, and air pollution. Once a department or school no longer uses the photographs they should be sent to the Records Center for permanent storage or transferred to Washington State Archives.

**Labeling of district photographs, negatives or slides:**

Storing of district photographs or slides are only valuable if it is known what was photographed, therefore, they should be properly labeled. It is the responsibility of the individual employee taking pictures to label photographs properly. All photographs should be labeled with the following:

1. Event of photograph.
2. Individuals in photograph.
3. Location of photograph.
4. Date of photograph.

Keep photographs of same event together, if possible.

**Scanning of photographs:**

Some departments have access to scanners so they have the ability to scan photographs for storage on-line. After the photograph has been scanned, send the original photograph and negative to the Records Center for preservation of original copy. Note: CDs and optical disks are not acceptable storage media for records of permanent value.

**Storing of videotapes:**

Videotapes should be stored on end in their original boxes in a dust free environment. They are to be sent to the Records Center once they are no longer of use by department or school, but have a historical value.

**Newspaper clippings:**

Newspaper clippings are printed on paper with high acid content. These papers yellow and become brittle with age and exposure to heat and light. This should be taken into consideration when they are being stored. They should be labeled with the following:

1. What newspaper was article taken from?
2. Date of article.
3. What school or department was article written about?

The newspaper clippings can be stored at the Records Center once they are no longer referred to by department or school.

**Audio tapes:**

Store tapes vertically on end in their original boxes and away from magnetic fields. If a tape is to be used for reference, a copy should be made for that use and a copy made to preserve the original. Tabs should be removed to prevent accidental erasure. Periodic rewinding of cassette tapes is recommended to minimize "print through" of sound.

## **HISTORICAL RECORDS FOR RESEARCH**

Historical material can be used at the Records Center or checked out for use. It is the responsibility of individual checking out historical material to make sure they are kept in good condition and returned promptly after use.

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## **DESTRUCTION OF RECORDS**

## DESTRUCTION OF RECORDS

Records stored at the designated records storage site will be destroyed when they have reached the end of their retention period. At the end of a records retention period, a Records Transmittal and Disposition Form will be sent to the administrator responsible for the respective record, obtaining their approval for destruction. No records will be destroyed without a signed authorization, unless the records have been transferred to another media.

Confidential records will be made illegible before disposal. The records storage site staff shall provide a list of records series that are past their retention period and can be destroyed. This list will be provided at the end of each school year.

Washington Administrative Codes on destruction of records:

**WAC 392-172A-05235** Destruction of (Special) Educational Records.

**WAC 434-640-010** Records Disposal--Generally.

**WAC 434-640-020** Disposal of Confidential Records.

**WAC 434-640-030** Disposal by Recycling.

A Destruction Activity Log, serves the following purposes:

1. Provides an inventory of the majority of the records maintained in most schools;
2. Provides minimum state and district retention periods for those records; and
3. Reflects which records can be destroyed during a given school year.

Complete a Destruction Activity Log. Indicate on the form all records being destroyed on a single date, and include the following information:

- The school or program name;
- The Records Coordinator's name;
- The date the records were shredded/destroyed; and
- Send a signed and dated copy of the School Records Retention and Destruction Activity Log to the Records Manager.

Once a records series' minimum retention requirement has been satisfied, the records series can be destroyed, by shredding.

NOTE: The Records Coordinators should contact the District Records Manager for instructions.

After destruction, the School Records Retention and Destruction Activity Log will serve to document the following:

- Which records have been destroyed and how;
- The volume of records destroyed; and
- The date the records were disposed.

#### SENDING CONFIDENTIAL RECORDS TO THE RECORDS STORAGE SITE TO BE DESTROYED

1. Types of records that are considered confidential and can be sent to the records storage site for shredding.
  - a. Employee records.
  - b. Confidential student information.
  - c. Other material that would not be considered a public record (to be approved by supervisor).
  - d. Employee telephone directories.
2. Do not send public records to be shredded.
  - a. Fiscal records.
  - b. District publications.
  - c. Discontinued department forms.
3. Preparing records to send to the records storage site for destruction.
  - a. Sort records.
  - b. Put records to be destroyed in sealed envelopes or boxes.
  - c. Fill out a request for pick-up.

## Sample School Records Retention and Destruction Activity Log

**FOR USE BY THE OFFICE OF THE SECRETARY OF THE STATE**  
**Public Records Destruction Log**  
**Request for In-House Destruction - Local Government**

To comply with RCW 40.14.060, WAC 434-610-070, and WAC 434-640-010, 020, and 030, it is vital that public records be destroyed according to their approved retention periods. Therefore, the purpose of this form is to verify compliance and reasonable accountability proving specific public records have clearly met approved retention periods for disposal. Please fill out this form for public records disposal in-house with an approved retention period greater than 1 year. **THE RETENTION PERIOD FOR THIS FORM IS PERMANENT AS STATED IN THE LOCAL GOVERNMENT GENERAL RECORDS RETENTION SCHEDULE (GS5-09-06).**

DATE		DIVISION/SECTION		RECORDS OFFICER	
BOX NUMBERS	RECORDS SERIES DAN	INCLUSIVE DATES		RETENTION PERIOD	DATE DESTROYED

All public records listed have been identified to be at the end of their designated retention period, have no need to be retained for audits, lawsuits, public records request or program requirements and shall be destroyed.

The individual who is responsible for destroying the listed records must sign below prior to the Records Manager's signature approval.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Name (Please print clearly): \_\_\_\_\_

The Records Manager must sign the approval of this request prior to the destruction of the listed records:

Records Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

THIS FORM IS MAINTAINED BY THE RECORDS MANAGEMENT OFFICE AND CANNOT BE ALTERED IN ANYWAY.  
 AR-012, rev. 2/04/08

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## APPENDICES



## **GLOSSARY**

### **ACTIVE RECORDS**

Records that are referenced more than once per month per file drawer are considered active. Active records should be maintained in the office.

### **ADMINISTRATIVE FILES**

Records documenting the operation, management, and administration of an office; usually distinguished from program records that relate to the office's primary function. Generally, eighty percent of the references made to a record occur within one year from the date it is created. The administrative value of most records is exhausted within two years.

### **ADMINISTRATIVE VALUE**

The usefulness of a specific records series for the administration of current or future business.

### **ARCHIVAL RECORDS**

Public records which the State Archivist deems worthy of continued preservation based on historical value for reference and research purposes and which have been selected for transfer to the custody of the State Archives.

### **ARCHIVES**

See Washington State Archives.

### **CASE FILES**

See Project Files.

### **CFR**

Code of Federal Regulations

### **CORRESPONDENCE**

Letters, memorandums, notes, telecommunications, and any other form of addressed, written communications that are sent and received.

### **CUSTODY (OF RECORDS)**

The guardianship of records that includes both physical possession and legal title.

### **CUT-OFF**

The date or event which begins the retention period for a records series. Examples may include: Date of Document, Fiscal Year, School Year, When Superseded, Date of Report, etc.

**DISPOSITION**

Any manner or method of changing the custody, location, or physical state of records. Includes transfer, microfilming, duplication and destruction.

**DISPOSITION AUTHORITY NUMBER (DAN)**

The control number assigned to general records retention schedules and unique records retention schedules approved by the State Records Committee.

**DOCUMENT SCANNING**

The process of converting paper, photographs or microfilm to a machine-readable format.

**E-MAIL**

E-mail is a means of sending or receiving information electronically, not a type of record. Information generated or received on an e-mail system needs to be managed according to the informational content of the message.

**ELECTRONIC IMAGING SYSTEM (EIS)**

An electronic document imaging system is a computer-based configuration of equipment and software that stores machine-readable document images and their associated character-coded index data for on-demand retrieval. Electronic images can be computer generated, or created through document scanning.

**ELECTRONIC RECORDS**

Data or information that has been captured and fixed for storage and manipulation in an automated system and that requires the use of the system to render it intelligible by a person.

**ESSENTIAL RECORDS**

Public records, which are needed to protect assets, obligations and resources of state agencies, and are necessary to provide for the continuity, preservation and operation of state government.

**EXEMPT RECORDS**

See Restricted Records.

**FERPA**

Family Educational Rights and Privacy Act

**FISCAL VALUE**

The usefulness of a specific records series for the documentation of an agency's financial transactions and obligations. Examples of records with primary fiscal value include budgets, allotments, ledgers, periodic accounting reports, vouchers, and warrants.

**FOIA**

Freedom of Information Act

**GENERAL RECORDS RETENTION SCHEDULE**

A schedule listing and assigning minimum retention periods to individual records series, which is approved for all state government agencies, or particular types of agencies, by the State Records Committee. General records retention schedules provide the agencies they cover with continuing blanket authority for the disposition of commonly-held records according to their assigned retention periods.

**HIPAA**

Health Insurance Portability and Accountability Act

**HISTORICAL VALUE**

Some records have long-term research value because they provide significant documentation concerning the development of the agency's mission, policies, programs, and the area(s) it serves through time. Once the agency's administrative, legal, and fiscal needs for such records have been exhausted they should be transferred to the Regional Archives for long-term preservation and public research use.

**IDEA**

Individuals with Disabilities Education Act

**IMAGING**

See Document Scanning.

**INACTIVE RECORDS**

Records with a reference rate of less than one search per file drawer per month. Such records may be transferred to an inactive records storage center.

**INTERNET**

A data communication network that --

-- is logically linked together by a globally unique address space based on the Internet Protocol (IP) or its subsequent extensions/follow-ons;

-- is able to support communications using the Transmission Control Protocol/Internet Protocol (TCP/IP) suite or its subsequent extensions/follow-ons, and/or other IP-compatible protocols; and

-- provides, uses or makes accessible, either publicly or privately, high level services layered on the communications and related infrastructure described herein.

## **INTRANET**

An intranet is a network based on the Internet TCP/IP open standard. An intranet belongs to an organization, and is designed to be accessible only by the organization's members, employees, or others with authorization. An intranet website looks and acts just like other websites, but has a firewall surrounding it to block unauthorized users. Intranets are used to share information.

## **INVENTORY**

1. A descriptive listing of records series held by an office or file station, including such data as title, inclusive dates, quantity, arrangement, relationships to other series, and description of significant subject content;
2. A survey of records conducted prior to disposition or the development of a records retention schedule.

## **LEGAL VALUE**

The usefulness of specific records series as documentation of an agency's legally enforceable rights and obligations.

## **MACHINE-READABLE RECORDS**

Records in a medium or format that requires a mechanical and/or electronic device to make it intelligible to humans.

## **MICROFILM**

A high-resolution photographic film used to record reduced-size images from original records.

## **OFM (Office Files and Memoranda)**

A public records classification established by **RCW 40.14.010** for records that have purely administrative value and do not come within the classification of official public record (OPR). OFM includes correspondence, exhibits, drawings, maps, completed forms, or documents not classified as OPR, duplicate copies of official public records, documents and reports made for the internal administration of the office not required by law to be filed or kept with such agency; and other documents or records as determined by the Records Committee.

## **OPR (Official Public Record)**

A public records classification established by **RCW 40.14.010** for records which have significant legal or fiscal value and require a minimum retention of six (6) years unless an agency establishes justification that a six (6) year retention is unnecessary and uneconomical. OPR's include all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use, and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the state of Washington or any agency is a party; all fidelity, surety, and performance bonds; all claims filed against the state or any agency; all records or documents required by law to be filed

with or kept by any agency; all legislative records; and all other records determined by the Records Committee to be official public records.

### **OFFICIAL STUDENT RECORD**

For all grades and all schools, including, but not limited to, standardized high school transcripts; middle/junior high school transcript or other academic history showing courses and grades earned; elementary enrollment history and grade progression.

All other records pertaining to each student belong in the cumulative folder, or are covered by other series.

### **PERMANENT RECORDS**

Archival records that, because of their legal and/or historical value, should be retained without purging or sampling.

### **PRIMARY FILING CLASSIFICATION**

The most general category under which records can be sorted and arranged for filing. Primary filing classifications should be defined by the function and retention requirements of the records.

### **PRIMARY RECORD COPY**

The original or official copy of a record.

### **PROJECT (CASE) FILES**

Groups of documents that pertain to a particular action, event, person, or place. May consist of correspondence, form records, memoranda, reports, or a combination of such records.

### **PROPRIETARY RECORDS**

Records containing information of a confidential or highly sensitive nature requiring destruction by shredding, to eliminate the possibility of illegal or undesirable disclosure.

### **PUBLIC RECORD**

Public records are recorded information, regardless of physical form. The term “public record” applies to any paper, correspondence, form, bound volume, film, magnetic medium, drawing or other document, regardless of form or physical characteristics, that has been created or received by any state agency during the course of public business (**RCW 40.14.010** Preservation and Destruction of Public Records). All public records are required to be maintained and disposed of by state agencies in accordance with the provisions of **RCW 40.14**.

All records maintained in electronic format are included in the definition of a “public record” and are governed under the terms of the Preservation and Destruction of Public Records Act.

**PURGING**

The documented archival process of identifying and removing records with no, or limited, administrative, legal, fiscal, or historical (archival) value.

**RCW**

See Revised Code of Washington.

**RECORDS**

See Public Records.

**RECORDS CENTER**

A centralized facility for the organized and controlled storage, maintenance, retrieval, and disposition of inactive or non-current records.

**RECORDS COORDINATOR**

Agency staff who assist the agency records officer with the records management duties of their department or division.

**RECORDS MANAGEMENT**

The management function concerned with the efficient, systematic control of records from their creation to their ultimate disposition.

**RECORDS OFFICER**

The individual responsible for an agency's records management procedures, including retention scheduling, files organization, records storage, and destruction.

**RECORDS SERIES**

A group of records, performing a specific function, which is used as a unit, filed as a unit and may be transferred or disposed of as a unit. A records series may consist of a single type of document or a number of different types of documents that are filed together as related to a specific function.

**RECORDS WITH NO RETENTION VALUE**

Records which are duplicates or have no administrative value and are authorized by the general schedule to be destroyed when no longer needed.

**REFERENCE FILES**

Publications, books, periodicals, catalogs, bulletins, reports, maps, thesis, tapes, films, photographs, and other materials that are needed as informational resources but are not part of the main body of files.

**RESTRICTED RECORDS**

Records which are restricted (classified, confidential or exempt) from public disclosure. **RCW 42.56** Public Records Act

**RETENTION PERIOD**

The minimum amount of time required for the retention of a records series on an agency unique records retention schedule or state general records retention schedule approved by the Local Records Committee.

**REVISED CODE OF WASHINGTON (RCW)**

A codification of current statutes as enacted and amended.

**SAMPLING**

The documented archival process of selecting records from a collection to represent the collection as a whole and disposing of the remainder of the records.

**SCANNING**

See Document Scanning.

**SCREENING**

The process of reviewing records that are restricted, or may be restricted, because they contain information which is classified, confidential, or exempt from public disclosure.

**SECONDARY FILING CLASSIFICATION**

The second most general class of filing category under which records can be sorted or arranged for filing; subsidiary to primary classification.

**STATE RECORDS COMMITTEE**

"It shall be the duty of the records committee to approve, modify, or disapprove the recommendations on retention schedules of all files of public records . . ." (**RCW 40.14.050**). The State Records Committee is comprised of the State Archivist and representatives of the Office of the Attorney General, Office of Financial Management and the Office of the State Auditor.

**STATUTE**

A law enacted by the Legislature.

**SUBJECT FILE**

A file in which documents are arranged alphabetically by general subject or topic.

**TRANSACTIONAL FILES**

Records documenting the unique daily transactions or activities of an office that distinguish its primary functions.

**TRANSITORY FILE**

A file of routine correspondence and other records with short-term value. Its retention period is limited to the interval required for completion of specific actions covered by individual pieces of correspondence.

**TRANSMITTAL**

Documentation authorizing the disposal, transfers to inactive storage, or transfers to archival storage of public records.

**UNIQUE RECORDS RETENTION SCHEDULE**

A schedule, listing and assigning minimum retention periods to individual records series, which is approved for a specific agency by the State Records Committee. A records retention schedule provides the agency for which it is approved continuing records disposition authority.

**WAC**

Washington Administrative Code. States how state agencies shall organize and adopt rules and regulations. WACs and rules and regulations refer to agency guidelines adopted pursuant to the Administrative Procedure Act.

**WASHINGTON STATE ARCHIVES**

The Washington State Archives, a division of the Office of the Secretary of State, was established by chapter **RCW 40.14** to provide centralized records management services to state and local governments. It is responsible for assisting government agencies to comply with Washington State's laws pertaining to the creation, maintenance and disposal of public records.

**WORKING FILE**

A file of rough notes, calculations, or preliminary drafts that are assembled and used in the preparation or analysis of other documents; usually retained in desk files or filed separately until project is completed.

Non-Record: Material that does not need to be filed or that can be destroyed after a short retention. This includes drafts, worksheets, routine replies, telephone messages, blank forms, publications, and extra copies of documents created for convenience or public distribution. (Example: Working File - A file of rough notes, calculations, or preliminary drafts that is assembled and used in the preparation or analysis of other documents. A working file is usually retained in desk files or filed separately until project completion.)



# **SCHOOL BOARD POLICIES AND PROCEDURES**

This section contains sample School Board Policies and Procedures provided by Washington State School Directors' Assn.

***This sample policy is provided by WSSDA***

## **Policy No. 3231 Students**

### **STUDENT RECORDS**

The district shall maintain those student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law. All information related to individual students shall be treated in a confidential and professional manner. The district will use reasonable methods to ensure that teachers and other school officials obtain access to only those education records in which they have legitimate educational interests. When information is released in compliance with state and federal law the district and district employees are immune from civil liability unless they acted with gross negligence or in bad faith.

Student records are the property of the district but shall be available in an orderly and timely manner to students and parents. "Parent" includes the state department of social and health services when a minor student has been found dependent and placed in state custody. A parent or adult student may challenge any information in a student record believed inaccurate, misleading or in violation of the privacy or other rights of the student.

Student records shall be forwarded to other school agencies upon request. A high school student may grant authority to the district which permits prospective employers to review the student's transcript. Parental or adult student consent shall be required before the district may release student records other than to a school agency or organization, except as otherwise provided by law.

A grades report, transcript, or diploma shall not be released until a student has made restitution for damages assessed as a result of losing or damaging school materials or equipment. If a student has transferred to another school district that has requested the student's records, but the student has an outstanding fee or fine, only records pertaining to the student's academic performance, special placement, immunization history and discipline actions shall be sent to the enrolling school. The content of those records shall be communicated to the enrolling district within two school days and copies of the records shall be sent as soon as possible. The official transcript will not be released until the outstanding fee or fine is discharged. The

enrolling school shall be notified that the official transcript is being withheld due to an unpaid fee or fine.

The superintendent shall establish procedures governing the content, management and control of student records.

Cross References: Board Policy 3520  
4020

Student Fees, Fines, Charges  
Confidential Communications

Legal References: 20 U.S.C. § 1232g  
CFR 34, Part 99  
RCW 28A.225.330

Family Education Rights and Privacy Act  
Family Education Rights and Privacy Act Regulations  
Enrolling students from other districts — Requests for information and permanent records — Withheld transcripts — Immunity from liability — Notification to teachers and security personnel — Rules  
High school diplomas — Issuance — Option to receive final transcripts — Notice  
Educational and career opportunities in the military, student access to information on, when  
Defacing or injuring school property — Liability of pupil, parent or guardian  
Address Confidentiality Program — Application — Certification  
Medical records — health care information access and disclosure  
Pupil tests and records — Pupil personnel records — School district policy in writing  
Secondary education — standardized high school transcript  
Failure to assure the transfer of student record information or student records

28A.230.120

28A.230.180

28A.635.060

40.24.030

70.02

WAC 392-500-025

WAC 392-415

WAC 181-87-093

WAC 246-105	Immunization of child care and school children against certain vaccine-preventable diseases
WAC 392-415-060 and -070	State standardized high school transcript

Management Resources: <i>Policy News</i> , April 2001	Compliance Office Provides FERPA Update
<i>Policy News</i> , December 2003	Updated Legal References for Catheterization, Facilities Planning and Student Records Policies
<i>Policy News</i> , February 2010	Family Education Rights and Privacy Act Revisions

**Adoption Date:**  
**School District Name**  
**Revised: 02.00; 12.03; 12.06; 02.10**  
**Classification: Essential**

***This sample procedure is provided by WSSDA***

## **Procedure 3231P**

### **STUDENT RECORDS**

Student records shall be managed by the district records custodian in the following manner:

#### **Type of Records**

Student records shall be divided into two categories: the cumulative folder and supplementary records.

The **cumulative folder** may contain all information about a student which is collected and maintained on a routine basis, such as identifying information (name, birth date, sex, year in school, address, telephone number, parent's name, ethnic classification, emergency information [parent's place of employment, family doctor, babysitter, siblings]); attendance records including date of entry and withdrawal; grades and other student progress reports; results of tests of school achievement, aptitude, interests, hearing and vision; health and immunization status reports; records of school accomplishments and participation in school activities; verified reports of misconduct, including a record of disciplinary action taken; and such other information as shall enable staff to counsel with students and plan appropriate activities. Identifying information may be limited if the student is a participant in the state Address Confidentiality Program.

**Supplementary records** about a student may be collected and maintained in connection with special school concerns about the student, such as confidential health information or reports connected with assessment and placement of a student who is formally identified as a "focus of concern;" reports from nonschool persons and organizations such as physicians, psychologists and clinics, except for general screening purposes; reports pertaining to specific problems associated with the student; and current reports of psychological tests and progress reports related to a student's disabling condition. All such reports included in records shall be dated and signed.

For the purpose of this procedure, working notes of staff are defined as those records about students which are maintained in the sole possession of the writer and are not accessible or revealed to any other person except a substitute for that staff member. Working notes are not considered student records within the purview of this procedure.

#### **Accessibility of Student Records**

Information contained in the cumulative folder and/or supplementary records shall be provided to persons and agencies as follows:

## **Parents**

Parents of dependent children have the right to inspect the cumulative folder and/or supplementary records of their children.

- A. The parent shall be provided analysis and interpretation by qualified staff of all information in the cumulative folder and supplementary records. This action may be initiated by the parent or a staff member. The review shall occur within five school business days after a request is received unless a written explanation for the failure to do so is supplied by the custodian of records. In no case shall the review occur later than 45 days after the request is made.
- B. Inspection and review shall be conducted during normal working hours, unless the custodian (teacher, counselor, nurse, psychologist, principal) consents to other arrangements. Custodians shall provide assistance in the interpretation and analysis of student records as needed. Although records must remain within district control, they may be copied or reproduced by or for the parent or eligible student at their own expense.

## **The Student**

Information from the cumulative folder shall be interpreted to the student upon his/her request. Information contained in supplementary records shall be interpreted to the student upon his/her request and with the consent of the parent. The adult student may inspect his/her cumulative folder and supplementary records. The right of access granted the parent or adult student includes the right to be provided a list of the types of student-related education records maintained by the school and the district. The parent and adult student shall have the right to inspect or to be informed of the content of any record containing personally identifiable information regarding more than one student, provided that the right to access shall apply only to that portion of the record or document which relates to the student. Upon graduation from high school, a student may request to receive a final transcript in addition to the diploma.

Parents and adult students shall be notified annually of their right to inspect and review the records of their children and their other rights under the Family Education Rights and Privacy Act through the following notice: (*describe your notice here – Web site, school calendar, etc.*)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- 1) The right to inspect and review the student's education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the district records custodian a written request that identifies the record(s) they wish to inspect. The records custodian will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- 2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- 3) Parents of eligible students have a right to inspect or review information including when the student is a dependent under IRS tax code, when the student has violated a law or the school rules regarding alcohol or substance abuse (and the student is under 21), and when the information is needed to protect the health or safety of the student or other individuals.
- 4) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Exceptions which permit disclosure without consent are: disclosure deemed by the district as necessary to protect the health or safety of the student or other individuals and disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

- 5) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue S.W.  
Washington, D.C. 20202

**Staff**

Staff or other school officials who have a legitimate, educational interest in a student shall have access to the cumulative folder and any supplementary records.

**Other Districts**

Other districts shall be provided with records upon official request from the district, unless the student has an outstanding fee or fine. In those instances the enrolling school shall be provided with the student's academic, special placement, immunization history and discipline records within two school days, but the official transcript shall be withheld until the fee or fine is discharged. The enrolling school district shall be notified that the transcript is being withheld due to an outstanding fee or fine. At the time of transfer of the records, the parent or adult student may receive a copy of the records at his/her expense if requested and shall have an opportunity to challenge the contents of the records. Parents shall be advised through the annual *Student Rights and Responsibilities Handbook* that student records shall be released to another school where the student has enrolled or intends to enroll.

**Other Persons and Organizations**

Prospective employers may request to review the transcript of a student. Each parent or adult student shall be advised at least annually that such requests shall be honored only upon a signed release of the parent or adult student. Information contained in the cumulative folder and supplementary records of a student shall be released to persons and organizations other than the student, parent, staff and other districts only with the written consent of the parent or adult student with the following exceptions:

- A. Directory information may be released publicly without consent upon the condition that the parent or adult student be notified annually of the school's intention to release such information and be provided the opportunity to indicate that such information is not to be released without prior consent. Such information shall not be released for commercial reasons. Directory information is defined as the student's name, photograph, address, telephone number, date and place of birth, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received and the most recent previous school attended. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information. Social Security numbers, student identification numbers (with authentication factors such as a secret password or personal identification number) or other personally identifiable information are not considered directory information.
- B. Information may be released to authorized representatives of the comptroller general of the United States, the commissioner of education, and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements for such programs.

- C. Information may be released to state and local officials to whom such information is specifically required to be reported or disclosed pursuant to Washington state statute (examples: reporting child abuse or referrals to juvenile court for truancy).
- D. Information may be released to organizations conducting studies for educational agencies for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than the representatives of such organizations and if such information shall be destroyed when no longer needed for the purpose for which it has been gathered.
- E. Information may be released in compliance with a judicial order or lawfully issued subpoena including ex parte court orders under the USA Patriot Act, upon condition that a reasonable effort was made to notify the parent or adult student in advance of such compliance unless such notice is not allowed by the order or subpoena.
- F. Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons. The district will take into account the totality of the circumstance and determine if there is an articulable and significant threat to the health or safety of the student or other individuals. When information from a student's record, other than directory information, is released to any person or organization other than staff, a record of such release shall be maintained as part of the specific record involved. Telephone requests for information about students shall not be honored unless the identity of the caller is known and the caller is authorized to receive the information under provisions of these procedures. A record shall be made of any such release of information and placed in the student's cumulative folder. This record of access shall include date of access, name of the party granted access and the legitimate educational interest of the party granted access.
- G. A high school adult student and/or parent/legal guardian may grant authority to the district permitting prospective employers to review the student's transcript.

### **Confidential Health Records**

Confidential health records should be stored in a secure area accessible only to the school health care provider, unless an appropriately executed release under Ch. 70.02 has been obtained. Such records are also covered by the Family Education Rights and Privacy Act, permitting parent access to review and otherwise exercise FERPA rights regarding the records. There is a higher standard of confidentiality and minor student's rights of privacy for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment are more restrictive than ordinary medical releases.



### **Challenges and Hearings**

At the time of inspection and review the parent or adult student granted access to records may challenge the appropriateness and accuracy of any record directly related to the student and may demand correction or deletion. Custodians (teacher, counselor, nurse, psychologist) may honor such demands by correcting or deleting records which are misleading, violative of privacy or inaccurate, provided that the senior custodian (principal or department head) concurs.

If the demanded correction or deletion is denied by the senior custodian, the parent or adult student may request an informal hearing before the superintendent, which hearing shall be held within 10 school days of the receipt of such request. During the hearing the superintendent shall review the facts as presented by the parent or adult student and the custodian and decide whether or not to order the demanded correction or deletion. The superintendent shall send his/her written decision to the parent or adult student within 10 school days of the hearing.

Upon denial of correction or deletion by the superintendent, the parent or adult student may request in writing a hearing before the board, which hearing shall be conducted at its next regular meeting. During such hearing, which shall be closed to the public, the board shall review the facts as presented by the parent or adult student and senior custodian and decide whether or not to order the demanded correction or deletion. The board shall send its written decision to the parent or adult student within 10 school days of the hearing.

Parents or adult students challenging the appropriateness and accuracy of student records may insert a written explanation of their objections in such records.

### **Maintenance of Student Records**

The student's principal, counselor or teacher shall be the custodian of the cumulative folder. The principal or the student's counselor shall be the custodian of the supplementary records. Duplicate copies of all guidance case study reports and reports from non-school agencies contained in a student's supplementary record may be maintained in the district office under the supervision of the superintendent.

Custodians shall:

- A. Maintain only those records authorized by these procedures;
- B. Safeguard student records from unauthorized use and disposition;
- C. Maintain access records;
- D. Honor access requests for parent or adult student;
- E. Delete or correct records upon approval of the senior custodian or upon order of the superintendent or the board; and
- F. Follow the records review schedule and procedures established by the senior custodian.

Senior custodians may assume the duties of custodians and shall:

- A. Request student records from other schools;
- B. Maintain security of student records;
- C. Transfer, destroy and expunge records as permitted;
- D. Supervise activities of their custodians;
- E. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents or adult students;
- F. Establish records review schedules and procedures for their respective schools or departments in accordance with procedures governing records disposition. (Psychological test scores shall be reviewed annually to determine their relevance to the continuing educational needs of the student.);
- G. Upon transfer of the student to the next level (elementary to middle school, middle school to high school) or upon graduation or transfer outside the district, remove for retention, preservation or destruction in accordance with applicable disposition procedures any records no longer pertinent to educational program placement; and
- H. Certify to the district records custodian by June 30 of each year the following:
  - 1. Only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and
  - 2. Required reviews have been accomplished.

The district records custodian shall provide overall supervision of student records management and control and shall enforce the student records policy and the administrative procedures. **WAC 434-662-040**

The district will use an array of methods to protect records, including passwords, physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records) and administrative procedures.

### **Disposition of Student Records**

The Official Student Record shall serve as the record of the student's school history and academic achievement. Official Student Records filed in the student's cumulative folder are to be extracted and retained before disposition of the folder. (DAN: SD-51-05F-10)

Within ten days after receiving a request, the district will furnish a set of unofficial educational records to the parent of a student transferring out of state who meets the definition of a child of a military family in transition. When a student transfers to another school in the district, all records including the permanent student record shall be transmitted to the other school. When a student transfers to a school outside of the district, the senior custodian shall purge the cumulative folder of all nonofficial, extraneous information. A copy of all records will be sent to the requesting school, unless the student has an outstanding fee or fine. In those instances the enrolling school shall be provided with information regarding the student's academic, special placement, immunization history and discipline records

within two school days, and the records shall be sent as soon as possible. The official transcript shall be withheld until the fee or fine is discharged. The enrolling school district shall be notified that the transcript is being withheld due to an outstanding fee or fine. The cumulative folder for an elementary or middle school student who leaves the district shall be maintained for two years after discontinuance of enrollment in the district.

Cumulative folders of high school students shall be retained for two years after graduation from high school or for two years after student withdraws from district. In all cases, the Official Student Record shall be retained in accordance with the *School Districts and Educational Service Districts Records Retention Schedule*. Contents of a student's supplementary records shall be maintained for two years. At the time a student graduates from school or ceases to need special educational services, the parent or adult student shall be informed that record information regarding the disabling condition is no longer needed.

When informing the parent or adult student about his/her rights regarding such records, the district shall advise the parent or adult student that the information may be needed by the student or the parent to establish eligibility for certain adult benefits, e.g., social security. At the parent's or adult student's request, the record information relating to the disabling condition shall be destroyed.

A parent or adult student, at his/her expense, may receive a copy of all records to be transmitted to another district.

### **Large Scale Destruction of Student Records**

After exercising care in accordance with that contained in the previous section (Disposition of Student Records), the senior custodian shall bundle all records and send them to the district office. Each bundle shall be plainly marked: "Student Records--for Destruction," dated and signed by the senior custodian. A summary sheet shall be completed and retained in the office. The sheet shall indicate: "As of this date, I have determined that the following records may be destroyed in accordance with district and state requirements and have submitted them for destruction." The summary sheet shall be dated and signed by the senior custodian.

### **Electronic Records**

Electronic records (including e-mail and web content) created and received by the district in the transaction of public business are public records for the purposes of RCW 40.14 and will be managed consistent with all of the laws and regulations governing the retention disclosure, destruction and archiving of public records. The district will manage electronic records according to the same provisions as paper documents as set forth in the records retention schedules. Electronic records will be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. The district will retain electronic records designated as archival in the original format along with the hardware and software required to read the data, unless the data has been successfully migrated to a new system. The district will retain records in compliance

with the *School Districts and Educational Service Districts Records Retention Schedule* found at: [www.sos.wa.gov/archives/recordsretentionschedules.aspx](http://www.sos.wa.gov/archives/recordsretentionschedules.aspx)

### **Cut-Off**

Whenever applicable, the retention period starts with the “cut-off.” “Cut-off” is a term used to indicate files or records may be terminated on a predetermined date. “Cut-off” prevents current records from attaining unmanageable size and facilitates the filing of new records. Calendar year records may be “cut-off” on December 31, and a new file established on January 1; all fiscal year records can be “cut-off” only upon the completion of an action or event, such as termination of contract, final payment of a contract, termination of employment, etc. Regardless of the duration of the retention period, records series should be kept in the office files after “cut-off” only as long as is necessary to satisfy: (1) active reference; (2) audit, when required; and (3) other operational requirements. Once these three factors have been satisfied, the records should be transferred to a records center.

**Date: 04.01; 04.05; 02.10**

**Policy No. 4040**  
**Community Relations**

**CONFIDENTIAL COMMUNICATIONS**

The board recognizes that school staff must exercise a delicate balance regarding the treatment of information that was revealed in confidence. A staff member may, in his/her professional judgment, treat information received from a student as confidential while at other times decide to disclose what was learned to the school administration, law enforcement officers (including child protective services), the county health department, other staff members or the student's parents. The staff member should advise the student regarding the limitations and restrictions regarding confidentiality. The student should be encouraged to reveal confidences to his/her parents. If the staff member intends to disclose the confidence, the student should be informed prior to such action.

The following guidelines are established to assist staff members in making appropriate decisions regarding confidential information and/or communications:

- A. Information contained in the student's cumulative record folder is confidential and is only accessible through the custodian of student records. Information secured through the authorization of the records custodian shall remain confidential and be used only for the purpose that its access was granted.
- B. While certain professionals may have a legal confidential relationship as in attorney-client communications, school staff members including counselors (except licensed psychologists) do not possess a confidentiality privilege.
- C. A staff member is expected to reveal information given by a student when there is a reasonable likelihood that a crime has or will be committed, (e.g., child abuse, sale of drugs, suicidal ideation).
- D. A staff member shall exercise professional judgment regarding the sharing of student disclosed information when there is reasonable likelihood that the student's welfare may be endangered.
- E. If district officials determine there is a specific threat to the health or safety of a student or any other individual, it may disclose otherwise confidential student information to appropriate parties, as allowed by the Family Educational Rights and Privacy Act (FERPA).
- F. A staff member is encouraged to assist the student by offering suggestions regarding the availability of community services to assist a student in dealing with personal matters, (e.g. substance abuse, mental illness, sexually-transmitted diseases, pregnancy). The staff member should encourage the student to discuss such matters with his/her parents. Staff members are encouraged to discuss problems of this nature with the school principal prior to making contact with others.

Cross References:	Board Policy 2140	Guidance and Counseling
	Board Policy 2121	Drug and Alcohol Use/Abuse Program

	Board Policy 3231	Student Records
	Board Policy 4040	Public Access to District Records
	Board Policy 5260	Personnel Records
Legal References:	RCW 26.44.030	Reports — Duty and authority to make — Duty of receiving agency

**Adoption Date:**

**School Name:**

**Revised: 02.99; 02.10**

**Classification: Priority**

*This sample policy is provided by WSSDA*

**Policy No. 4040**

**Community Relations**

**PUBLIC ACCESS TO DISTRICT RECORDS**

Full access to information concerning the administration and operations of the district shall be afforded to the public as provided by the Public Disclosure Law, mindful of the right of individuals to privacy and of the desirability of efficient administration of the district. Public access to district records shall be afforded according to the procedures developed by the superintendent and periodically reviewed by the board.

“School district records” include any writing, printing, photocopying, photographing, etc., 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 on representation, including 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, diskettes, sound recordings and other documents including existing data compilations from which information may be obtained or translated. “School district records” do not include the personal notes and memoranda of staff which remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

The superintendent or designee shall serve as “public records coordinator” with responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, and copying requirements of state law and this policy. As coordinator he/she shall authorize the inspection and copying of the district's records only in accordance with the criteria set forth in this policy.

In accordance with RCW Chapter 42.56, the district shall make available for public inspection and copying all district records, or portions, except those which contain the following information:

- A. Personal information from any file maintained for students (RCW 42.56.230(1)). Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g and adopted district policy;
- B. Personal information in files maintained for staff to the extent that disclosure would violate their right to privacy (Requests for verification of employment are not public records and will not be disclosed. Performance evaluations that do not discuss specific instances of misconduct are private and not of legitimate public concern. They will not be disclosed) (RCW 42. 56.230(2));
- C. Test questions, scoring keys, or other examination data used to administer academic tests (RCW 42.56.250(1));

- D. The contents of real estate appraisals, made for or by the district relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal (RCW 42.56.260);
- E. Preliminary drafts, notes, recommendations, and intra-district memoranda in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by the district in connection with any district action (RCW 42. 56.280);
- F. Records which are relevant to a controversy in which the district is a party but which records would not be available to another party under the rules of pretrial discovery for cases pending in the superior courts – RCW 42.56.290;
- G. Records or portions of records the disclosure of which would violate personal rights of privacy – RCW 42.56.210 and RCW 42.56.070;
- H. Records or portions of records the disclosure of which would violate governmental interests – RCW 42.56.210;
- I. The residence addresses, telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers and emergency contact information of employees or volunteers at a public agency held in personnel records, rosters, and mailing lists — RCW 42.56.250(3).
- J. The names, dates of birth, residential addresses and telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers and emergency contact information of dependents of employees and volunteers of a public agency.
- K. Personally identifiable information for special education students — WAC 392-172A.

If the district denies any request, in whole or in part, for inspection and copying of records, the district shall provide the requesting party with a written statement of the reason for the denial setting forth the specific exemption (and statutory section) which applies. No request shall be denied solely on the basis that the request is overbroad.

If the record which is requested for inspection and/or copying contains both information exempted from disclosure and nonexempt information, the district shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

The district may inquire into the purpose for which a record is requested and may use the answer to aid in determining whether the public has a legitimate interest in obtaining the information, but the district may not decline to furnish the records for public inspection and copying solely because the requester refuses to furnish a reason for the request.

The district may condition access to a public record containing a list of individuals on the requester's promise that the record will not be used for a commercial purpose, but may not require the requester to enter into a hold harmless agreement to that effect.



The public records coordinator is authorized to seek an injunction to prevent the disclosure of records otherwise disclosable when he/she determines that there is reasonable cause to believe that the disclosure would clearly not be in the public interest and would substantially and irreparably damage any person or would substantially or irreparably damage vital governmental functions.

The coordinator shall inform any employee and appropriate collective bargaining unit representative when a record naming the employee has been requested. The employee and representative shall be informed of the district's intended response to the request.

## **Electronic Records**

Electronic records (including e-mail and web content) created and received by the district in the transaction of public business are public records for the purposes of RCW 40.14 and will be managed consistent with all of the laws and regulations governing the retention disclosure, destruction and archiving of public records. The district will manage electronic records according to the same provisions as paper documents as set forth in the records retention schedules. Electronic records will be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. The district will retain electronic records designated as archival in the original format along with the hardware and software required to read the data, unless the data has been successfully migrated to a new system. The district will retain records in compliance with the General Records Retention Schedule For School Districts And Educational Service Districts in Washington State found at: [www.sos.wa.gov/archives/recordsretentionschedules.aspx](http://www.sos.wa.gov/archives/recordsretentionschedules.aspx)

## **Cut-Off**

Whenever applicable, the retention period starts with the "cut-off." "Cut-off" is a term used to indicate files or records may be terminated on a predetermined date. "Cut-off" prevents current records from attaining unmanageable size and facilitates the filing of new records. Calendar year records may be "cut-off" on December 31, and a new file established on January 1; all fiscal year records can be "cut-off" only upon the completion of an action or event, such as termination of contract, final payment of a contract, termination of employment, etc. Regardless of the duration of the retention period, records series should be kept in the office files after "cut-off" only as long as is necessary to satisfy: (1) active reference; (2) audit, when required; and (3) other operational requirements. Once these three factors have been satisfied, the records should be transferred to a records center or to an appropriate alternative format, including electronically for the remainder of the retention period.

Cross Reference: Board Policy 3231

Student Privacy

Legal Reference: RCW 42.17

Disclosure — Campaign Finances —  
Lobbying

RCW 42.56

Public Records Act

20 U.S.C. § 1232g

Federal Education Rights Privacy  
Act (FERPA).

Management Resources: *Policy News*, June 2006  
*Policy News*, October 2005  
*Policy News*, February 2010

Public Records Act  
Public Disclosure  
Federal Education Rights and  
Privacy Act Revisions

**Adoption Date:**

**School District Name:**

**Revised: 08.98; 10.05; 05.06; 02.10**

**Classification: Priority**

*This sample procedure is provided by WSSDA*

## **Procedure 4040P**

### **PUBLIC ACCESS TO DISTRICT RECORDS**

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

#### **Public Records Custodian**

At each facility where district records are kept, the superintendent's designee shall serve as public records custodian who shall be responsible for the maintenance of district records in accordance with district policy. The custodian shall permit access to, and copying of, district records by the public with authorization from the superintendent who is the public records coordinator. The public records coordinator shall be listed in the district directory and student/parent handbook.

#### **Display Of Descriptions, Policies And Procedures**

The public records coordinator shall compile, prominently display and make available the following for inspection and copying by the public at the district's central office:

- A. Descriptions of the district's organizational structure;
- B. Descriptions or statements of the general course and method by which the district operates;
- C. Descriptions of how, where and from which employees and the public can obtain information and copies of public records (this policy and procedure);
- D. Descriptions or statements of all formal and informal district procedures;
- E. All district rules of procedure;
- F. All substantive rules of general applicability;
- G. All statements of general policy; and
- H. All interpretations of general applicability developed or utilized by the district.

The public records coordinator shall update the displayed materials identified above whenever an item is amended, revised or repealed.

#### **Index Of Certain Records**

The coordinator shall be responsible for the preparation and maintenance and availability for inspection and copying by the public of current indexes of the following records:

- A. Statements and interpretations of district policies; and

- B. Administrative staff manuals and instructions to staff that may affect a member of the public;
- C. Planning policies and goals and interim and final planning decisions;
- D. Factual staff reports, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by district staff or others.

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

If the coordinator 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 written request, the district shall make available to any person for inspection and copying any record or records not exempted by district policy.

Written request for inspection and/or copying of records may include:

- A. Name, address, and signature of the party requesting disclosure and the date of request;
- B. Specification of the records or types of records requested; and
- C. A statement of the intended use of requested documents if lists of individuals are included. The district shall not deny a request solely due to refusal to furnish a reason for the request.

Written requests for inspection and/or copying of records shall be made to the coordinator at the district's central office or to the student record's custodian at the place where the requested records are kept. If a request is significant/broad the district may make the records installment available on a partial or installment basis.

Written requests shall be made and records shall be available for inspection and copying during the customary business hours of the district's central office and/or the facility where the requested records are kept.

With respect to those records which the coordinator has designated in writing as "open to inspection," the student record's 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 coordinator.

A response to each written request for inspection and copying of district records shall be provided within five business days. The district may respond by providing the requested record denying the request, or acknowledging receipt of the request and providing a reasonable estimate of the time the district will require to respond. Any denial of a request

shall contain an explanation of the statutory basis of the denial. If a record contains disclosable information, the district shall disclose the record with the nondisclosable portion deleted and provide a written explanation of the statutory basis for the deletion.

If a requested record contains personally identifiable information about a person, prior to release the person and appropriate bargaining unit, if any, shall be notified of the request and the district's intended response.

If the public record's coordinator concludes that disclosure of a requested record that is not exempt from disclosure is not in the public interest and would substantially and irreparably damage any person or vital governmental function, the coordinator shall seek a court injunction to prevent disclosure.

Staff shall provide full 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 disclosure and which have been sufficiently identified in a request for inspection. Staff may request a clarification of any request that is unclear and need not respond if the request is not clarified. On request, the district shall make copies of public records for a per-page fee of fifteen cents and the actual cost of postage and an envelope, if any. Determining the actual cost of copying is excessively burdensome therefore the district is using the statutory fifteen cents per page charge. 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 stop filling a request if an installment is not claimed.

A staff member may condition access to a public record containing a list of individuals on the requester's promise that the record will not be used for a commercial purpose, but may not require the requester to enter into a hold harmless agreement to that effect.

The coordinator and student record's custodian 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.

**Date: 08.15.98; 10.05**

*This sample policy is provided by WSSDA*

**Policy No. 4314**  
**Community Relations**

**NOTIFICATION OF THREATS OF VIOLENCE OR HARM**

Students and school employees who are subjects of threats of violence or harm shall be notified of the threats in a timely manner. Parents shall be included in notifications to students who are subjects of threats of violence or harm. If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act, other legal limitations, and the circumstances.

Individual-directed threats of violence or harm are communications that create fear of physical harm to a specific individual or individuals, communicated directly or indirectly by any means.

Building-directed threats of violence or harm are direct or indirect communications by any means of the intent to cause damage to a school building or school property (e.g., bomb threats), or to harm students, employees, volunteers, patrons or visitors.

The district will address threats of violence or harm in a manner consistent with the district's safety policies and comprehensive safe school plans.

Persons found to have made threats of violence or harm against district property, students, employees or others will be subject to relevant district discipline policies and will be referred to appropriate community agencies including law enforcement and mental health services. District staff shall work with in-district and community-based professionals and services in all relevant disciplines to address threats of violence or harm, those threatened and those making the threats. Necessary information about the person making the threat shall be communicated by the principal to teachers and staff, including security personnel.

State law provides the district, school district directors and district staff with immunity from liability for providing notice of threats in good faith. Persons who make a knowingly false notification of a threat are subject to appropriate district discipline policies and may be referred for prosecution.

The superintendent is directed to develop and implement procedures consistent with this policy.

Cross References:	Board Policy 3207	Prohibition of Harassment, Intimidation and Bullying
	Board Policy 3240	Student Conduct
	Board Policy 3241	Classroom Management, Corrective Actions or Punishment

	Board Policy 5281	Disciplinary Action or Discharge
	Board Policy 6513	Workplace Violence Prevention
Legal References:	RCW 28A.320.128	Notice and disclosure policies — Threats of violence — student conduct — Immunity for good faith notice — Penalty
	WAC 392-400	Pupils
	20 U.S.C. § 1232g	Family Educational Rights and Privacy Act
	34 C.F.R. Part 99	FERPA Regulations
Management Resources:	<i>Policy News</i> , February 2003	Threats Policy Due in September
	<i>Policy News</i> , February 2010	Family Education Rights and Privacy Act Revisions

**Adoption Date:**  
**School District Name:**  
**Revised: 02.03; 12.06; 02.10**  
**Classification: Essential**

**Procedure No. 4314P**

**NOTIFICATION OF THREATS OF VIOLENCE OR HARM**

Staff, students, volunteers, and others involved in school activities have the responsibility to report any threats of violence or harm to designated school officials. Based on the significance and credibility of the threat, it shall be reported to law enforcement. Staff shall involve in-district multi-disciplinary professionals in evaluating the threat and the needs of the person making the threat. Consultation with or referrals to community-based professionals and services are encouraged where appropriate.

Under the Family Educational Rights and Privacy Act the district may only release student records with parent or adult student permission or in a health or safety emergency. For that reason, the district will identify students who have made threats of violence or harm when notifying the subjects of the threats, under the following conditions:

- A. The parent or adult student has given permission to disclose the student's identity or other information to the subject of the student's threat.
- B. The identity of the student and the details of the threat are being disclosed to relevant district staff who have been determined to have legitimate educational interest in the information.
- C. The identity of the student or the details of the threat are being released because the release of the information is necessary to protect the health or safety of the student or other individuals. In making this determination, school officials shall use their best judgment, and may take into account the "totality of the circumstances" pertaining to the safety or health of a student or other individuals.
- D. The district is responding to a court order or subpoena. The district must make a reasonable effort to notify the parents of the student or adult student of the subpoena in advance of complying, so that the family can seek protective action, unless the court order or subpoena expressly forbids such notification.

Relevant information about the threat that does not improperly identify a student shall be provided to the subject of the threat, and the subject shall be advised that if law enforcement has been involved in the matter, the law enforcement agency may have more information that can be shared with the subject.

To promote the safety of all concerned, the principal shall determine if classroom teachers, school staff, school security, and others working with the student(s) involved in the threat circumstance, should be notified. Subject to the confidentiality provisions cited above, principals shall consider all available information when determining the extent of information to be shared, including prior disciplinary records, official juvenile court records, and documented history of violence of the person who made the threat.

When considering the appropriate discipline for a student who has made a threat of violence or harm the student's prior disciplinary records shall be taken into account. Emergency expulsion shall be considered, based on the credibility and significance of the threat.



Discipline shall only be imposed on students with disabilities consistent with policy and the legal requirements for special education.

If the threat by a student was significant and credible enough to warrant expulsion, the student may only be readmitted to the district through the readmission application process provided for in district policy. The readmission application process shall include meeting district readmission criteria established at the time of expulsion and should include completion of an assessment by an appropriate professional, with a report to the district, when the district determines such an assessment is necessary.

Discipline against district staff for making threats of violence or harm shall be consistent with district policy and procedure regarding staff discipline, and any relevant collective bargaining requirements.

**Date: 2.03; 02.10**

*This sample policy is provided by WSSDA*

**Policy No. 6570**  
**Management Support**

**PROPERTY AND DATA MANAGEMENT**

**Data Management**

The superintendent is authorized to enter into a contract with the Washington School Information Processing Cooperative to purchase a student information system, equipment, networking and software to expand the current K-12 education statewide network. The Board shall review the data management program annually.

**Property Records**

Property records and inventory records shall be maintained on all land, buildings and personal property under the control of the district.

Property purchased in whole or in part with federal funds shall be inventoried at least every two years. The inventory shall include the serial number of the item, its cost and the percentage of federal funds used to purchase it.

Small attractive items (computers, printers, projectors, video cassette recorders, tools, etc.) shall be inventoried annually and shall be signed out to staff. Sign-out records shall also be maintained.

At the end of each school year each teacher shall inventory the property items in his or her classroom. A randomly selected ten percent of those inventories shall be double-checked by an employee of the business office.

For purposes of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable, and does not lose its identity when incorporated into a more complex unit. Property records of facilities shall be maintained on an ongoing basis.

No equipment shall be removed for personal or nonschool use. Property records shall show, as appropriate to the item recorded, the:

- A. Description of the property;
- B. A serial number or other identification number (equipment may be identified with a permanent tag that provides appropriate district and equipment identification.);
- C. Source of property;
- D. Who holds title;
- E. Manufacturer;
- F. Year of purchase;

- G. Initial cost;
- H. Percentage of federal participation in the cost of the property;
- I. Location;
- J. Condition and depreciation;
- K. Current valuation in conformity with insurance requirements; and
- L. Disposition data including date of disposal and sale price of the property

Cross Reference:	Board Policy 3231	Student Records
	Board Policy 4040	Public Access to School District Records
	Board Policy 6801	Fixed Assets
	Board Policy 6955	Maintenance of Records
Legal References:	RCW 40.14	Preservation and Destruction of Public Records
	RCW 40.14.010	Definition and classification of public records
	RCW 42.56.070-080	Public Records Act – Documents and indexes to be made public; Facilities for copying – Availability of public records
	34 C.F.R. § 80.32	Uniform administrative requirements for grants and cooperative agreements to state and local governments – Equipment
Management Resources:	<i>Policy News</i> , April 2006	Fixed Assets
	<i>Policy News</i> , April 2005	Records Retention Schedule Updated

**Adoption Date:**

**School District Name**

**Revised: 08.98; 04.05; 04.06; 05.06; 02.10**

**Classification: Priority**

# FERPA

## Family Educational Rights and Privacy Act (FERPA)

- FERPA stands for the Family Educational Rights and Privacy Act of 1974. Also known as the Buckley Amendment.
- Protects the privacy of student's educational records
- FERPA is enforced by the Family Policy Compliance Office of the U.S. Department of Education.
- For more in depth information go to <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=19c05648969ad3c6496aef299affa70f&rgn=div5&view=text&node=34:1.1.1.1.34&idno=34>

## Who should know the Regulations of FERPA

- School Staff
- Teachers
- Counselors
- Administrators and Staff
- Technical Staff

## Why Comply with FERPA?

- It's the Law.
- Failure to comply could result in the withholding of Federal Funds including Student Financial Aid.
- Lawsuits caused by violations cost time and \$\$\$.

## Essential Principals:

- Student Records are kept confidential
- Parents/Guardians have access to student records if student is under the age 18 or student is a tax dependent
- Rights transfer from parent/guardian to student when student turns 18 and is no longer a tax dependent.

## What are Educational Records?

- Records directly related to student
- These records can be in any media format: handwritten, print, video or audio tape, film, electronic, microfilm etc.

## What are not considered Educational Records:

- Sole Possession Notes -
  - Used only as a memory aid
  - Not revealed to another person
  - Not left out for others to view

**What are not considered Educational Records (continued):**

- Law Enforcement Records
  - Maintained solely for law enforcement purposes and revealed only to law enforcement agencies.
- Employment Records
  - Those whose employment is not contingent upon being a student.

**What Education Records are not:**

- Medical Records
  - Created by a health care professional used only for the medical/health treatment of the student.
- Alumni Records
  - Created after student has left the school district.

**Rights of Parents/Guardians and Students:**

- Parents/Guardians have a right to access student records if student is under the age of 18 or student is a tax dependent.
- Rights transfer to student if over the age 18 and are no longer a tax dependent.
- Review student records.
- Receive annual notice of rights.
- Opt-out of release of directory information.
- Right to have some control over the disclosure of information from the records.
- To file complaint with U.S. Dept. of Education if felt rights are being violated.
- Expectations that records are kept confidential.
- Request to amend student records:
  - Parent/Guardian can request amendment of records if records are believed to be.....
    - Misleading
    - Inaccurate
    - In violation of student's rights of privacy

**Who is covered under FERPA?**

- Any student who is attending or has attended the school district.
- Natural parent or legal guardian.
- An individual acting in absence of parent or guardian.
- Both parents have FERPA rights regardless of custodial rights.
- Note: Access to parents can only be denied if there is a court order *restricting access to the record*.

**When do FERPA rights begin for a student?**

- When the student enrolls in the school district.

**What information might need to be handled in a secure way?**

- Registration forms
- Transcripts
- Student information displayed on your computer screen.
- Grades
- Student schedules
- Class assignments
- Class Rosters
- Any paper with the student's personal identification number or social security number.

**What information can be released?**

- Directory Information
- Information that the student has given written consent to release.
- Information needed by employees who have a legitimate educational interest.
- Information needed by certain government agencies.

**What is "directory information"?**

- It is information that can be released without the student's written consent.
- Each school district can determine what information is classified as directory information. Typical directory information is:
  - Student's Name
  - Photograph
  - Address
  - Telephone
  - Date and place of birth
  - Dates of Attendance
  - Participation in officially recognized activities and sports
  - Weight and height of member of athletic teams
  - Diplomas
  - Awards
  - Most previous school attended

**Parents' Rights:**

If student is under the age of 18 or student is still a dependent for tax purposes parents have the right to -

- Review Records
- Request amendments to Records
- Authorize release of records

Rights transfer from parent to student when a student reaches the age of 18 or if no longer a dependent.

**Student (and former student) rights under FERPA:**

- Student or parent/guardian have a right to know where educational records are kept.
- Students have a right to inspect their educational records.
- Students have the right to have records amended if necessary.
- Students have the right to file a complaint with The U.S. Dept. of Education if they feel their rights are being violated.
- Students have the right to expect that their education records are kept confidential except where special provisions are made.
- Students have the right to suppress the disclosure of directory information to outside agencies.

**Who can access Student Information?**

- District employees who have a legitimate educational interest.
  - What is “Legitimate Educational Interest”?
    - Performing a task that is specified in his/her job description or contract.
    - Performing a task related to a student’s education or to student discipline.
    - Providing a service or benefit to the student.
- Student if over 18 or parent/guardian if student is under age of 18.
- Agents of the court when there is a subpoena or court order.
- Officials of other schools in which a student seeks or intends to enroll or is enrolled.
- Appropriate individuals in an emergency in order to protect the health and safety of the student or other persons.

**Recordkeeping:**

- Custodian of records must keep a record of access requests
- Does not apply to:
  - Parent/Guardian or student if over age 18.
  - School officials with legitimate educational interest.
  - Party with written consent from Parent/Guardian.
  - Subpoena

**General information:**

- Custodian of records have the responsibility to protect educational records in their possession.
- Curiosity is not a valid reason to view student information.
- Records should only be used in the context of official business.
- Keep personal notes relating to students separate from educational record.
- Refer information requests to the proper custodian of records.
- When in doubt – don’t give it out.
- Refer requests for student education records to the Registrar’s Office if still active or Record Center Lead if inactive.

- Student information can be released with a signed consent from the student.

**Security information:**

- Information on a computer should be treated with the same confidentiality as a paper copy.
- Do not leave confidential information displayed on an unattended computer.
- Keep computer disks with student data in a secure or locked location.
- Cover or put away papers that contain confidential information if you are going to step away from your desk.

**Special Hints for Teachers:**

To avoid FERPA violations, Do NOT -

- Use the SSN/Student ID to post grades.
- Leave graded tests in a stack for students to sort through.
- Circulate a printed class list with the Student Name and SSN/Student ID.
- Provide anyone with student schedules.
- Provide anyone with lists of students enrolled in your classes.
- Include confidential information (i.e. grades, #of credits) in a recommendation letter without the written consent of the student or parent/guardian (if student under 18).

**Are individuals liable for penalties if requirements of FERPA are not followed?**

- No the School District is typically legally responsible for complying with the regulations



## **WASHINGTON ADMINISTRATIVE CODES (WACs) relative to records**

Washington Administrative Code states how state agencies shall organize and adopt rules and regulations. WACs and rules and regulations refer to agency guidelines adopted pursuant to the Administrative Procedure Act.

<http://apps.leg.wa.gov/WAC/default.aspx>

### **WAC 392-172A-05235 Destruction of (special education) educational records.**

(1) Each school district shall inform parents and adult students when personally identifiable information collected, maintained, or used in compliance with this chapter is no longer needed to provide educational services to the student, or is no longer required to be retained under state or federal law. State procedures for school district records retention are published by the secretary of state, division of archives and records management, and specify the length of time that education records must be retained.

(2) The information shall thereafter be destroyed at the request of the parent or adult student. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.

### **WAC 434-610 Definitions**

Includes official definitions to include; Agency, Public Record, Records Series, Retention Period, Archival Records, Retention Schedule.

#### **WAC 434-610-010 "Agency" defined**

"Agency" means any department, office, commission, board, or division of state government; and any county, city, district, or other political subdivision or municipal corporation or any department, office, commission, court, or board or any other state or local government unit, however designated.

#### **WAC 434-640-010 Records disposal--Generally.**

When the state or local records committee has authorized the destruction of public records in accord with chapter 40.14 RCW, it shall be the responsibility of the agency having requested or received such authorization to cause such records to be disposed of promptly and effectively, after the approved retention period.

#### **WAC 434-640-020 Disposal of confidential records.**

It is the agency's responsibility to insure that records exempt from disclosure per chapter 42.17 RCW, or which are otherwise considered confidential, are protected from unauthorized access during any disposal process. The primary purpose of such disposal shall be that of reducing the records to an illegible condition.

**WAC 434-640-030 Disposal by recycling.**

Pursuant to disposal authorization from the state or local records committee, an agency may dispose of records by recycling, under the following conditions:

- (1) The prompt destruction of the records shall be insured, and the responsibility for such destruction shall continue to be that of the agency until effectuated.
- (2) The recycling agent or entity shall have any required licenses and shall be insured or bonded.
- (3) Records shall not be kept in unattended and unprotected storage awaiting their destruction.
- (4) The agency or its authorized agent shall have in effect a contract or written agreement with the recycling entity which includes these conditions.

**WAC 434-662 Preservation of electronic public records.**

Pursuant to the provisions of chapters 40.14 and 42.56 RCW, and RCW 43.105.250, the rules contained in this chapter are intended to ensure that electronic public records are securely preserved for their minimum retention period for present and future access and/or are transferred to the Washington state digital archives for retention so that valuable legal and historical records of the state may be centralized, made more widely available, and permanently preserved.

**WAC 434-662-040 Agency duties and responsibilities**

Electronic records must be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. Printing and retaining a hard copy is not a substitute for the electronic version unless approved by the applicable records committee.

An agency is responsible for a security backup of active records. A security backup must be compatible with the current system configuration in use by the agency.

**WAC 434-663 Imaging systems, standards for accuracy and durability**

The purpose of this chapter is to establish standards and recommended practices for the creation, preservation, access to, and retention of public records on electronic imaging systems. Electronic imaging systems may legally be used for recording, producing, reproducing, maintaining, and storing public records if:

- (1) Those systems meet the standards set forth in this chapter;
- (2) The systems are used in accordance with this chapter; and
- (3) The retention and disposition of the original and copies of records maintained on those systems regardless of media are scheduled, maintained, and disposed of in accordance with chapter 40.14 RCW. Nothing in this chapter can be construed to limit the admissibility of any public record as evidence.

## **REVISED CODE OF WASHINGTON (RCWs) relative to records**

The Revised Code of Washington (RCW) is the compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topic, with amendments added and repealed laws removed. It does not include temporary laws such as appropriations acts. The official version of the RCW is published by the Statute Law Committee and the Code Reviser.

### **RCW 5.46.010 Copies of business and public records as evidence.**

If any business, institution, member of a profession or calling or any department or agency of government, in the regular course of business or activity has kept or recorded any memorandum, writing, entry, print, representation or combination thereof, of any act, transaction, occurrence or event, and in the regular course of business has caused any or all of the same to be recorded, copied or reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic, optical imaging, or other process which accurately reproduces or forms a durable medium for so reproducing the original, the original may be destroyed in the regular course of business unless the same is an asset or is representative of title to an asset held in a custodial or fiduciary capacity or unless its preservation is required by law. Such reproduction, when satisfactorily identified, is as admissible in evidence as the original itself in any judicial or administrative proceeding whether the original is in existence or not and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of court. The introduction of a reproduced record, enlargement or facsimile, does not preclude admission of the original.

### **RCW 28A.225.330 Enrolling students from other districts.**

- Requests for information and permanent records
- Withheld transcripts
- Immunity from liability
- Notification to teachers and security personnel
- Rules.

(1) When enrolling a student who has attended school in another school district, the school enrolling the student may request the parent and the student to briefly indicate in writing whether or not the student has:

- (a) Any history of placement in special educational programs;
- (b) Any past, current, or pending disciplinary action;
- (c) Any history of violent behavior, or behavior listed in **RCW 13.04.155**;
- (d) Any unpaid fines or fees imposed by other schools; and
- (e) Any health conditions affecting the student's educational needs.

(2) The school enrolling the student shall request the school the student previously attended to send the student's permanent record including records of disciplinary action, history of violent behavior or behavior listed in **RCW 13.04.155**, attendance, immunization records, and academic performance. If the student has not paid a fine or fee under **RCW 28A.635.060**, or tuition, fees, or fines at approved private schools the school may withhold the student's official transcript, but shall transmit information about the student's academic performance, special placement, immunization records, records of disciplinary action, and history of violent behavior or behavior listed in **RCW 13.04.155**. If the official transcript is not sent due to unpaid tuition, fees, or fines, the enrolling school shall notify both the student and parent or guardian that the official transcript will not be sent until the obligation is met, and failure to have an official transcript may result in exclusion from extracurricular activities or failure to graduate.

(3) Upon request, school districts shall furnish a set of unofficial educational records to a parent or guardian of a student who is transferring out of state and who meets the definition of a child of a military family in transition under Article II of **RCW 28A.705.010**. School districts may charge the parent or guardian the actual cost of providing the copies of the records.

(4) If information is requested under subsection (2) of this section, the information shall be transmitted within two school days after receiving the request and the records shall be sent as soon as possible. The records of a student who meets the definition of a child of a military family in transition under Article II of **RCW 28A.705.010** shall be sent within ten days after receiving the request. Any school district or district employee who releases the information in compliance with this section is immune from civil liability for damages unless it is shown that the school district employee acted with gross negligence or in bad faith. The professional educator standards board shall provide by rule for the discipline under **RCW 28A.410** of a school principal or other chief administrator of a public school building who fails to make a good faith effort to assure compliance with this subsection.

(5) Any school district or district employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

(6) When a school receives information under this section or **RCW 13.40.215** that a student has a history of disciplinary actions, criminal or violent behavior, or other behavior that indicates the student could be a threat to the safety of educational staff or other students, the school shall provide this information to the student's teachers and security personnel.

#### **RCW 28A.605.030 Student education records – Parent review – Release of records - Procedure**

The parent or guardian of a student who is or has been in attendance at a school has the right to review all education records of the student. A school may not release the education records of a student without the written consent of the student's parent or guardian, except as authorized by **RCW 28A.600.475** and the family educational

and privacy rights act of 1974, 20 U.S.C. Sec. 1232g.

The board of directors of each school district shall establish a procedure for:

- (1) Granting the request by a parent or guardian for access to the education records of his or her child; and
- (2) Prohibiting the release of student information without the written consent of the student's parent or guardian, after the parent or guardian has been informed what information is being requested, who is requesting the information and why, and what will be done with the information.

The procedure adopted by the school district must be in compliance with the family educational and privacy rights act of 1974, 20 U.S.C. Sec. 1232g.

### **RCW 28A.635.060 Defacing or injuring school property.**

- Liability of pupil, parent, or guardian
- Withholding grades, diploma, or transcripts
- Suspension and restitution
- Voluntary work program as alternative
- Rights protected.

(1) Any pupil who defaces or otherwise injures any school property, or property belonging to a school contractor, employee, or another student, is subject to suspension and punishment. If any property of the school district, a contractor of the district, an employee, or another student has been lost or willfully cut, defaced, or injured, the school district may withhold the grades, diploma, and transcripts of the pupil responsible for the damage or loss until the pupil or the pupil's parent or guardian has paid for the damages. If the student is suspended, the student may not be readmitted until the student or parents or legal guardian has made payment in full or until directed by the superintendent of schools. If the property damaged is a school bus owned and operated by or contracted to any school district, a student suspended for the damage may not be permitted to enter or ride any school bus until the student or parent or legal guardian has made payment in full or until directed by the superintendent. When the pupil and parent or guardian are unable to pay for the damages, the school district shall provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. Upon completion of voluntary work the grades, diploma, and transcripts of the pupil shall be released. The parent or guardian of such pupil shall be liable for damages as otherwise provided by law.

(2) Before any penalties are assessed under this section, a school district board of directors shall adopt procedures which insure that pupils' rights to due process are protected.

(3) If the department of social and health services or a child-placing agency licensed by the department has been granted custody of a child, that child's records, if requested by the department or agency, are not to be withheld for nonpayment of school fees or any other reason.

#### **RCW 40.10.020 Essential records – Reproduction and storage – Coordination of Protection Program - Fees**

The state archivist is authorized to reproduce those documents designated as essential records by the several elected and appointed officials of the state and local government by microfilm or other miniature photographic process and to assist and cooperate in the storage and safeguarding of such reproductions in such place as is recommended by the state archivist with the advice of the director of community, trade, and economic development. The state archivist shall coordinate the essential records protection program and shall carry out the provisions of the state emergency plan as they relate to the preservation of essential records. The state archivist is authorized to charge the several departments of the state and local government the actual cost incurred in reproducing, storing and safeguarding such documents: PROVIDED, That nothing herein shall authorize the destruction of the originals of such documents after reproduction thereof.

#### **RCW 40.14.010 Definition and classification of public records**

As used in this chapter, the term "public records" shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business, and legislative records as described in **RCW 40.14.100**.

For the purposes of this chapter, public records shall be classified as follows:

(1) Official public records shall include all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use, and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the state of Washington or any agency thereof may be a party; all fidelity, surety, and performance bonds; all claims filed against the state of Washington or any agency thereof; all records or documents required by law to be filed with or kept by any agency of the state of Washington; all legislative records as defined in **RCW 40.14.100**; and all other documents or records determined by the records committee, created in **RCW 40.14.050**, to be official public records.

(2) Office files and memoranda include such records as correspondence, exhibits, drawings, maps, completed forms, or documents not above defined and classified as official public records; duplicate copies of official public records filed with any agency of the state of Washington; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with such agency; and other documents or records as determined by the records committee to be office files and memoranda.

**RCW 40.14.040 Records officers – Designation – Powers and duties**

Each department or other agency of the state government shall designate a records officer to supervise its records program and to represent the office in all contacts with the records committee, hereinafter created, and the division of archives and records management. The records officer shall:

- (1) Coordinate all aspects of the records management program.
  - (2) Inventory, or manage the inventory, of all public records at least once during a biennium for disposition scheduling and transfer action, in accordance with procedures prescribed by the state archivist and state records committee: PROVIDED, That essential records shall be inventoried and processed in accordance with **chapter 40.10 RCW** at least annually.
  - (3) Consult with any other personnel responsible for maintenance of specific records within his state organization regarding records retention and transfer recommendations.
  - (4) Analyze records inventory data, examine and compare divisional or unit inventories for duplication of records, and recommend to the state archivist and state records committee minimal retentions for all copies commensurate with legal, financial and administrative needs.
  - (5) Approve all records inventory and destruction requests which are submitted to the state records committee.
  - (6) Review established records retention schedules at least annually to insure that they are complete and current.
  - (7) Exercise internal control over the acquisition of filming and file equipment.
- If a particular agency or department does not wish to transfer records at a time previously scheduled therefore, the records officer shall, within thirty days, notify the archivist and request a change in such previously set schedule, including his reasons therefore.

**RCW 40.14.050 Records committee — Composition, travel expenses, meetings, powers and duties — Retention schedules**

There is created a committee, to be known as the records committee, composed of the archivist, an appointee of the state auditor, an appointee of the attorney general, and an appointee of the director of financial management. Committee members shall serve without additional salary, but shall be entitled to travel expenses incurred in accordance with **RCW 43.03.050** and **43.03.060** as now existing or hereafter amended. Such expenses shall be paid from the appropriations made for operation of their respective departments or offices.

The records committee shall meet at least once every quarter or oftener as business dictates. Action by the committee shall be by majority vote and records shall be kept of all committee business.

It shall be the duty of the records committee to approve, modify or disapprove the recommendations on retention schedules of all files of public records and to act upon requests to destroy any public records: PROVIDED, That any modification of a request or recommendation must be approved by the head of the agency originating the request or recommendation.

The division of archives and records management shall provide forms, approved by the records committee, upon which it shall prepare recommendations to the committee in cooperation with the records officer of the department or other agency whose records are involved.

**RCW 40.14.060 Destruction, disposition of official public records or office files and memoranda – records retention schedules**

(1) Any destruction of official public records shall be pursuant to a schedule approved under **RCW 40.14.050**. Official public records shall not be destroyed unless:

(a) Except as provided under **RCW 40.14.070(2)(b)**, the records are six or more years old;

(b) The department of origin of the records has made a satisfactory showing to the state records committee that the retention of the records for a minimum of six years is both unnecessary and uneconomical, particularly if lesser federal retention periods for records generated by the state under federal programs have been established; or

(c) The originals of official public records less than six years old have been copied or reproduced by any photographic or other process approved by the state archivist which accurately reproduces or forms a durable medium for so reproducing the original.

(2) Any lesser term of retention than six years must have the additional approval of the director of financial management, the state auditor and the attorney general, except when records have federal retention guidelines the state records committee may adjust the retention period accordingly. An automatic reduction of retention periods from seven to six years for official public records on record retention schedules existing on June 10, 1982, shall not be made, but the same shall be reviewed individually by the state records committee for approval or disapproval of the change to a retention period of six years.

Recommendations for the destruction or disposition of office files and memoranda shall be submitted to the records committee upon approved forms prepared by the records officer of the agency concerned and the archivist. The committee shall determine the period of time that any office file or memorandum shall be preserved and may authorize the division of archives and records management to arrange for its destruction or disposition.

**RCW 40.16.010 Injury to public record**

Every person who shall willfully and unlawfully remove, alter, mutilate, destroy, conceal, or obliterate a record, map, book, paper, document, or other thing filed or deposited in a public office, or with any public officer, by authority of law, is guilty of a class C felony and shall be punished by imprisonment in a state correctional facility for not more than five years, or by a fine of not more than one thousand dollars, or by both.



**RCW 40.20.020 Reproduction by film or photograph**

The head of any business or the head of any state, county or municipal department, commission, bureau or board may cause any or all records required or authorized by law to be made or kept by such official, department, commission, bureau, board, or business to be photographed, microphotographed, reproduced on film, or photocopied for all purposes of recording documents, plats, files or papers, or copying or reproducing such records. Such film or reproducing material shall be of permanent material and the device used to reproduce such records on such film or material shall be such as to accurately reproduce and perpetuate the original records in all details, and shall be approved for the intended purpose: PROVIDED, That the state archivist shall approve such material for state records use: PROVIDED, FURTHER, That the state auditor shall approve such material for use by local governmental subdivisions.

**RCW 42.56 030 Public records act - Construction**

The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. This chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy and to assure that the public interest will be fully protected. In the event of conflict between the provisions of this chapter and any other act, the provisions of this chapter shall govern.

**RCW 42.56.210 Certain personal and other records exempt.**

(1) Except for information described in RCW 42.56.230(3)(a) and confidential income data exempted from public inspection pursuant to RCW 84.40.020, the exemptions of this chapter are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption may be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(2) Inspection or copying of any specific records exempt under the provisions of this chapter may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(3) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

# STUDENT RECORDS

A student record contains information directly related to a current student or former student. Student records are maintained on various types of media: written, printed, electronic, microfilm, video, pictures, etc. No matter what the format, they must be maintained according to Federal and State regulations.

Student records contain information on educational progress, health and safety, school administration, Federal or State reporting, and informing parent or students. Information should only be documented if it is relevant to the student's education or welfare.

The majority of student educational records fall into three categories:

- Official Student Record  
High school transcripts, middle/junior high transcripts or other academic history showing courses and grades earned; elementary enrollment history and grade progression.
- Student Cumulative Folder  
Registration forms, health and emergency forms, immunizations, attendance, report cards, test scores, financial obligations, discipline, English Language Learners, reading progression, Highly Capable/Excel, Special Education notification, 504 plan notification, student learning plans and custody documentation.
- Confidential Reports  
Special Education records, counselor records, principal records, child abuse, 504 plan and legal documents.

Notes made by staff that are for sole possession and not shared are not considered student records.

## **Release of Student Record Information:**

School districts are to follow the regulations of FERPA (Family Education Rights and Privacy Act) on the disclosure of student records. FERPA guarantees the parent/guardian and students' rights to the access of their student's academic record. This federal law also provides guidelines as to third party access and the appropriate security of student records.

## **Storage of Student Records:**

Procedures should be established on the maintenance and security of student records. Paper copy of student records should be stored in a secured area not accessible to unauthorized individuals. Access to electronic records should be controlled by appropriate passwords. Monitors should be placed so they are not visible to unauthorized individuals.

**Destruction of Student Records:**

Student records must be retained according to the *School Districts and Educational Service Districts Records Retention Schedule*.

<http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx>

After the retention period has passed all but the Special Education student records can be destroyed. Before Special Education student records can be destroyed a notice must be sent to the last known address of parent/guardian (if student is under age 18) or student (age 18 or older) informing them they are going to be destroyed. (See sample letter on following page.)

Parents/students should be reminded of the importance of keeping their copies of those student records that will be destroyed and may be of use later to the student such as: report cards, immunizations, special education records.

**Long term storage of the Official Student Record:**

It may be necessary to have the official student record put on an archive approved format for storing long term. At this time, the Official Student Record may be stored on archival microfilm or by an approved digital image system. Contact the Washington State Archives on the process of getting approval.

**Frequently asked questions on student records:**

1. Can we send originals of the student records to new requesting school district? No, your school is responsible for the storage of the records created by your school district.
2. Can we withhold transcripts or report card for fines owed? Yes, according to **RCW 28A.635.060**. School districts may withhold grades, diploma or transcripts.
3. Do student records have to be stored at the last school attended? No, they may be stored in a secured central school district location after the student has withdrawn or graduates from the school.
4. Can we purge the student cumulative record periodically? It is advisable to go through the student records periodically to remove documents that should not be part of the student's records such as duplicates or student work papers.

## Sample Special Education Student Record Parent/Student Notification:



Vancouver Public Schools  
Special Education Student Records  
<<Address>>  
Vancouver, WA <<Zip Code>>

<Mailing Date>>

«AddressBlock»

To Student or Parent of: «GreetingLine»

Re: Special Education Student Records

State regulations, in accordance with federal mandates, require us to destroy student special education records six years after the student has separated from program. Since it has been over six years for the above student, we will be destroying his/her special education record.

If you prefer to have these records sent to you instead of being destroyed, please return this letter with a signed authorization by <<Date>>. After this date the records will be destroyed.

Please note: The following are the regulations as to who can sign authorization and receive the records. If student is under the age of 18, parent is to sign authorization and receive records. If the student is over the age of 18, the student is to sign authorization and receive records, unless the parent has legal guardianship. In which case, please provide documentation showing guardianship.

If you do not want these records, please disregard this notice.

Sincerely,

<<Contact Name>>  
Special Education Student Records Department  
(360) 123-1234

.....  
I am requesting the special education records for the above student instead of having them destroyed. Please send the records to:

Name: \_\_\_\_\_

Relationship: Circle one    Parent                  Student (over the age of 18)                  Legal Guardian

Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_