

Public Records

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the superintendent's office.

A "public record" includes any writing that contains information relating to the conduct of the public's business, prepared, owned, used or retained by the district regardless of physical form or characteristics, unless otherwise exempted by law. "Writing" means handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof and all papers, maps, files, facsimiles or electronic recordings. Public record does not include any writing that does not relate to the conduct of the public's business and that is contained on a privately owned computer¹

All such information will be made available to individuals with disabilities in an accessible format upon request and with appropriate advance notice. No records will be released for inspection by the public or any unauthorized persons--either by the superintendent or any other person designated as custodian for school district records--if such disclosure would be contrary to the public interest, as described in state law.

The Board supports the right of the people to know about programs and services of their schools and will make reasonable efforts to disseminate information. The superintendent is authorized to use available means to keep parents and others in the community informed about the school's program and activities.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making public records available pursuant to law. The district will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for persons with disabilities.

Employee and volunteer personal residential addresses, personal electronic mail addresses, social security numbers, dates of birth, personal telephone or cellular numbers, and other information listed in Oregon Revised Statute (ORS) 192.355 as exempt, contained in personnel records maintained by the district are exempt from public disclosure pursuant to ORS 192.363 - 368 and ORS 192.355(3). District electronic mail addresses assigned by the district to district employees are not exempt. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member.

The district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the

¹In accordance with *Bialostosky v. Cummings*, 319 Or. App. 352 (2022), an individual board member may be considered a public body for public records purposes. Consequently, records created and retained solely by individual board members may be considered public records.

badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The district shall retain and maintain its public records in accordance with OAR 166-005-0010 and Chapter 166, Division 400 and ORS Chapter 192.

END OF POLICY

Legal References:

ORS 180.805

ORS Chapter 192

OAR 137-004-0800 (1)

OAR 166-005-0010

OAR 166-400

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 CFR Part 1630 (2021); 28 C.F.R. Part 35 (2021).

Oregon Department of Justice, Oregon Attorney General's Public Records and Meetings Manual.

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

Bialostosky v. Cummings, 319 Or. Ap. 352 (2022)