

KBA-2

PUBLIC'S RIGHT TO KNOW (Public Access to Records)

GENERAL

The School Board recognizes that parents and other citizens, and school and community groups have all become concerned about the quality of public education. They are questioning the effectiveness of school programs and activities, and they seek to become actively involved in planning for educational improvements.

Since community involvement in the educational process requires knowledge of that process, it will be the policy of the Board that all facts and information kept or prepared on the activities of the public schools, except confidential information, as exempted by law, will be considered public information.

Any citizen may, during office hours and subject to such regulation as the Superintendent may prescribe, have access to and inspect the public records in the possession of the public schools using the following procedures:

DEFINITION

Public Records are defined as specific, pre-existing files, documents, or data in the School Department's possession. They are not information that staff might have to gather or compile from numerous sources. Several types of records, as defined below, are excluded from public review under the Right to Know Law and other state or federal statutes. Examples of public records include some correspondence, financial records such as purchase orders and invoices, contracts with vendors, reports, and minutes of meetings.

AVAILABILITY

Public records must be available for inspection during normal business hours. Staff should make a reasonable attempt to provide material when requested if it is readily available. Staff members are not required to drop another customer or task to provide the information. If a staff member is unable to provide the information immediately, it will normally be provided within five (5) business days. The individual requesting the information is not required to give a reason to inspect the document that he/she is requesting.

Originals and one-of-a-kind documents must be viewed in the presence of a staff member or copied for the customer in accordance with the regulations below. If an original document is lost or destroyed because it was released to a customer, the employee who released it will be held responsible for the loss.

COPIES

Customers are to be permitted to obtain copies of Public Records. The School Department is permitted to charge a reasonable cost for producing the record. This charge will, in most cases, be close to the actual cost of production of the record. The price schedule is as follows:

1. Photo Copies will be charged at 25 cents per side for letter or legal size, to cover the cost of paper, copy machine operation, and staff time.
2. Publications printed for public distribution will be charged at 25 cents per page if they must be copied, or at the actual cost of production if still in stock for distribution, unless they were produced for free public distribution.

3. Computer generated reports will be charged at actual production cost. At the time of adoption of this policy, the rate is \$1 per page.
4. Maps, prints and other large documents are charged at the rate per square foot that the city pays its vendors to produce such records.
5. Any documents that have a charge fixed by Statute or Ordinance will be charged at that rate.

EXCEPTION

There shall be no charge to citizens for photo copies of academic transcripts or other student records for themselves or their own children.

EXEMPT RECORDS AND EXEMPTIONS

Certain documents are exempt from public view under the law. These include all student records with personally identifiable information and personnel records, except for directory information as defined in Policies GBL and JOA, attorney/client communications, medical records, drafts of materials, and certain interoffice correspondence which would hinder reasoned decision making by Rochester School Department officials. If an employee has a question concerning a specific request, it shall be referred to the Superintendent of Schools prior to release of the record.

Employees are not required to create a record where one does not exist, nor are they required to create a format to provide a record where it exists in a different format in School Department files. This means that employees are not required to do research to produce a record, they are merely required to provide what already exists.

WRITTEN REQUESTS

Generally, a written request is not required, however, in some circumstances a written request is indicated. Written requests, when required, do not need to be anything more than a handwritten, signed statement detailing what is being requested. Circumstances warranting written requests include, but are not limited to the following:

1. When very specific and detailed information is needed in order to comply with the request.
2. When the request is large and a significant cost is anticipated for copying and/or staff research time. In these cases, the customer will be given the employee's best estimate of cost prior to filling the request. The customer should be informed at that time that the estimate is not binding and that the actual cost may be higher or lower than anticipated.
3. When the employee, upon hearing the request, believes that the document is exempt from disclosure.

Adopted: April 8, 1993
Amended: October 8, 1998
Board Review & Approval: October 9, 2014