

POLICY B-14
ACCESS TO PUBLIC RECORDS

BE IT RESOLVED by the Board of Education of Unified School District, # 282, Elk County, State of Kansas, that the following provisions be, and they are hereby adopted, making available the public records of this district and the procedures to be followed for their inspection or copying beginning January 1, 1984:

1. Public Records:

Any public records as defined in 1983 H.B. 2327 shall be open to the public for their inspection or copying.

2. Business Day:

Means Monday through Friday from 8:00 A.M. to 4:30 P.M., except for legal holidays.

3. Location:

District Office, 1201 State Highway 99, Howard, Kansas 67349.

4. Official Custodian of Public Records:

Clerk of the School Board or designated assistant. All requests for inspection and copying of public records must be submitted to the official custodian, or other employee (s), for his or her response. The principal is designated as official custodian of all records maintained at the building level. In addition to those records required by law, the custodian and/or designated assistant shall be responsible for preparing and keeping other records necessary for the district's efficient operation. All district office records shall be kept for at least the minimum length of time required by law.

5. Types of Records:

A public record means any recorded information, regardless of form or characteristics, which is made, maintained, or kept by or is in the possession of the district, including those exhibited at public board meetings. Central office records include those records maintained by the superintendent and shall include, but are not limited to, the following: financial, personnel, and property (both real and personal) owned by the district. Building records include those records maintained by the building principal and shall include, but are not limited to, the following: activity funds, student records, and personnel records.

6. Charge or Fees for Copies of Public Records:

Fees shall be charged for the provision of access to and the copying of public records. Fees for copying shall equal the actual cost of furnishing copies, including the cost of staff time required to make them. Fees for providing access to computer records shall include the cost of computer services, including staff time required. The cost of staff time for pulling records or creating documents will be figured based on the hourly rate paid to the custodian of records whether copies of records are made or not. Revenue from copying open records will be deposited in the district's general fund.

BE IT FURTHER RESOLVED:

- 1. No original public records shall be removed from the custody of the official custodian without the written permission of the official custodian.**
- 2. a. Each request for access to public record shall be acted upon as soon as possible, but not later than the end of the third business day following the date the request is received.**
b. If access to the public record is not granted immediately, the official custodian shall give a detailed explanation of the cause for further delay, and the place and earliest time and date that the record will be available for inspection.
c. If a request is denied, the official custodian shall, upon request, provide a written statement of the grounds for the denial, shall cite the specific provisions of law under which access is denied. Said written statement shall be furnished to the requester no later than the third business day following the date that the request for the statement is received. If the requester disagrees with the explanation, the freedom of information officer shall settle the dispute.
- 3. When the official custodian furnishes copies of public records, charges for the service shall be collected in advance. The request for copies of public record shall be in writing, and the requester shall be required only to furnish his or her name and address, proof of identity if necessary, and the information needed to ascertain the records desired.**
- 4. Copies of radio or recording tapes or discs, video tapes or films, pictures, slides, graphics, illustrations or similar audio or visual items or devices, shall not be required to be furnished unless such items or devices were shown or played at a public meeting of this Board of Education.**
- 5. Copies of public records shall be made while the records are in the possession, custody and control of the official custodian and shall be made under the supervision of the official custodian.**

6. Records exempt from the open to the public requirement include: records exempted by other laws; privileged records under rules of evidence; medical & treatment records; personnel records; investigation, adjudication, & litigation exemptions; exemptions to encourage donations; educational institution exemptions; emergency or security information; appraisals or feasibility estimates; correspondence with a private individual; negotiations information; software programs; notes, policy proposals, & research; specifications & bids; information of a personal nature; and location of a shelter or safehouse. (The Kansas Open Records Act Handbook, 2007 Edition)