

# NEWPORT SCHOOL DISTRICT

TITLE: PUBLIC RECORDS

ADOPTED: July 22, 2002

REVISED:

801. PUBLIC RECORDS	
<p>1. Purpose</p>	<p>The Board recognizes the importance of public records as the record of the district's actions and the repository of information about this district. The public has the right under law to inspect and to procure copies of public records, with certain exceptions, subject to Board policy.</p>
<p>2. Definition 65 P.S., 66.1</p> <p>Act 169 of 1999</p>	<p>The <b>public records</b> of this district shall mean any account, voucher or contract dealing with the receipt or disbursement of funds; acquisition, use or disposal of services or supplies, materials, equipment or other property; or any minutes, orders or decisions fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group.</p> <p><b>Electronic record</b> shall mean a record created, generated, sent, communicated, received or stored by electronic means.</p>
<p>3. Authority 65 P.S., 66.1 et seq SC 408, 518</p> <p>Title 22 Sec. 12.33</p>	<p>The Board shall make the district's public records and copies thereof available for inspection in accordance with established guidelines, with the exception of those records exempted from such inspection and copying by law and Board policy.</p> <p>The Board reserves the right to establish a fee schedule to reasonably reimburse the district for the actual research time and cost of making copies.</p> <p>Records exempted by law include:</p> <ol style="list-style-type: none"> <li>1. Reports, communications or other items whose publication would disclose the institution, progress or result of an investigation undertaken in the performance of official duties.</li> <li>2. Any record, document, material, exhibit, report, memorandum or other paper to which access or publication is prohibited, restricted or forbidden by law, court order or decree; or which would operate to the prejudice or impairment of a person's reputation or personal security; or would result in the loss of federal funds, except the record of a conviction for any criminal act.</li> </ol>

<p>P.L. 93-380 45 CFR 99</p>	<p>3. Records concerning individual students.</p> <p>The Board exempts from public inspection records concerning:</p> <ol style="list-style-type: none"><li>1. Pending negotiations toward a collective bargaining agreement.</li><li>2. Any material whose disclosure constitutes an unwarranted invasion of individual privacy, such as records, data, reports, recommendations, or other personal material, including but not limited to information relative to the individual's personal and family circumstances, unless the individual concerned or guardian requests in writing that the same be disclosed publicly.</li><li>3. Procedures and techniques utilized in protecting the safety and property of the public, where such disclosure would impair protection.</li><li>4. Pending or anticipated litigation, contract negotiations other than the collective bargaining process, and other issues that may fall within the privileged relationship between the Board and its solicitor or other consultants and special agents.</li><li>5. The Board declares disclosure of the following records to be likely to violate the privacy of individuals and therefore exempts from public inspection:<ol style="list-style-type: none"><li>a. The home address or telephone number of any student or employee of the Board, except as the individual student or employee may wish such information to be released.</li><li>b. Notations and tape recordings made and temporarily retained by an individual solely as an administrative convenience in the performance of assigned duties, except that tape recordings of public meetings may not be exempted from public inspection. It is noted that electronic records are made for the purpose of establishing the written public record, and said recordings are not maintained except for immediate transcription purposes.</li></ol></li></ol> <p>Electronic records of School Board meetings are destroyed after official approval of the minutes.</p> <p>Records privately made and retained by an individual that express personal impressions, opinions and conclusions; and disclosure would tend to violate the recorder's privacy.</p>
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Pol. 216

<p>4. Guidelines 65 P.S., 66.1 et seq</p> <p>42 U.S.C. Sec. 12101 et seq</p>	<p>The public may inspect and procure copies of the public records of this district, except exempted records, during the regular business hours of the office in which such records are maintained, provided advance notice of intended inspection has been given to the Board Secretary not less than one (1) working day before inspection.</p> <p>Information shall be made available to individuals with disabilities in an appropriate format upon request and with sufficient advance notice.</p> <p>A citizen may obtain copies of the public records of this district upon payment of the established cost of copying for each page.</p> <p>No public record may be removed from the control or supervision of the designated custodian.</p> <p>Nothing in this policy shall prevent a Board member from inspecting any district public record in the performance of official designated duties.</p> <p>Where the labor effort to retrieve and/or copy public records exceeds thirty (30) minutes, the labor, materials and expenses will be reimbursed by the requesting party. Labor will be calculated at the hourly rate of \$20.00 per hour, and materials and expenses at the established rate.</p>
<p>5. Delegation of Responsibility</p> <p>SC 518 P.L. 93-380 45 CFR 99 Title 22 Sec. 12.33</p> <p>Pol. 906</p>	<p>The Superintendent or designee shall develop procedures to implement this policy which include:</p> <ol style="list-style-type: none"> <li>1. Preparation of a retention schedule which conforms to law; requires permanent safeguarding of Board minutes, annual audit reports and permanent student records; and mandates retention of all fiscal records required for audit until the audit has been received and approved.</li> <li>2. Provisions to guard the confidentiality of records exempted from the availability of public records.</li> <li>3. Procedures by which a citizen denied access to any district records may appeal that decision.</li> </ol>