

PUBLIC ACCESS TO DISTRICT RECORDS: 4040P

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 designated public records custodian 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 according to District policy and legal requirements.

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 in accordance with federal and state law.

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 designee 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 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.

A request for inspection and copying shall be granted only after review and approval of the request by Superintendent's designee.

A response to each written request for inspection and copying of District records shall be provided within five (5) 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.

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If the District 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 District may seek a court injunction to prevent disclosure.

The District 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. The District may charge a reasonable fee for making copies of public records based on the estimated cost of fulfilling 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 District's record's custodians 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.

Members of the public who wish to appeal the denial of a public records request may do so through the Citizen's Complaint process.