

## **Public Records Request Policy for McIntosh Area School**

It is our policy that all public records made or received in connection with the official business of the school be made available upon request of any person for inspection, examination, and copying in accordance with applicable law and the following policy guidelines:

All public records shall be available for inspection or copying under the supervision of the custodian (or designee) of the public records at reasonable times during normal office hours. All public records that are presently provided by law to be confidential or prohibited from being inspected by the public, whether by general or special law, are exempt from production.

The Principal/Director may from time-to-time direct that public records requests be handled in a specific manner in order to ensure that all public records/requests are:

- protected, that requests are complied with as expeditiously as is reasonably possible given the nature and scope of the request,
- and that confidential and exempt records are not disclosed except as required by law.
- Such directives must not be used in any way to hinder, delay, or circumvent a person's right of access to the public records and immediately forwarded to the School's public records custodian for processing.

As soon as reasonably possible after the receipt of a public records request, the custodian will acknowledge the request and respond to the requestor as to what the estimated amount of retrieval time will be, including any costs associated with the retrieval. The fact that the originator of a public record asks or directs that it remain confidential, does not in fact make that document confidential. Such a record is still subject to disclosure unless the law makes it confidential or exempt, Except in the case of student records.

If a public record contains information that is confidential or exempt by law, a true and correct copy of the original record shall be made, the confidential or exempt portions of copy shall be redacted, and the redacted copy of the record shall be made available to the requesting party. In the case of student records, the entire record is confidential and exempt and shall not be disclosed except as required or permitted by applicable law. At all times public records will be inspected, reviewed and/or copied under the supervision of the records custodian or the custodian's designee.

The requestor need not demonstrate any special or legitimate interest in the requested public records. Requests for public records shall be complied with regardless of the motivation of the requesting party.

No automatic waiting period shall be imposed. The only delay permitted is that which is reasonably necessary to allow the custodian to compile the requested records and protect against disclosure of those records or portions of records that are confidential and exempt.

Public records made or received by a third party pursuant to a contract or agreement with the school shall be subject to disclosure to the same extent as public records in the physical custody of the school.

If a public records request is insufficient to identify the records sought, the requestor shall be promptly notified that more information is needed in order to produce the records. The school shall offer reasonable assistance to the requestor in describing the nature and extent of such information.

The maximum cost of duplication prescribed by law, shall be charged, and collected before and as a condition to production. The requestor shall be advised of these costs in advance of the duplication of the requested records.

In the absence of a statutory exemption, all public records requested shall be produced regardless of the number of records involved or the time and inconvenience associated with the production. However, in addition to the actual cost of duplication, a special service charge shall be imposed for the cost of the extensive use of information technology resources or of clerical or supervisory personnel, where such extensive use is required because of the nature or volume of public records to be inspected, examined, or copied. The requesting party shall be given an estimate of the cost before the services are undertaken.

Such estimated cost shall be collected from the requestor before duplication of the public records. If the actual cost exceeds the estimate, the difference shall be collected from the requestor before production of the public records. If the actual cost is less than the estimate, the requestor shall be reimbursed the difference at the time the public records are produced. For purposes of this rule, "extensive" means that it will take more than fifteen (15) minutes to identify, locate, compile, review, copy, and re-file the requested records. This service charge shall be computed to the nearest quarter hour exceeding fifteen (15) minutes based on the current rate of pay of the organization employee(s) and/or supervisors who perform these services.

The custodian shall maintain a written log of all public records requests. Such log shall include, but may not be limited to, the date of the request, the name and address of the requestor (if known), the date of compliance, and the method by which the requestor was provided the records.

In no event shall any School employee or member of the board destroy records that are the subject of a current public records request or records that are currently at issue in pending litigation.

All public records shall be retained at a minimum in accordance with the General Records Schedule for Public Schools Pre-K-12, Adult & Vocational/Technical, published by the Florida Department of State, Division of Library and Information Services, Bureau of Archives and Records Management; or the General Records Schedule for Local Government Agencies, published by the Florida Department of State, Division of Library and Information Services, Bureau of Archives and Records Management, where applicable. The school's board of directors may modify retention schedules at its discretion; however, no modification shall provide for the School to retain a public record for a period of time less than that prescribed by the above publications.

**Definitions:**

**Public Records:** The term public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the school. Public records encompass all materials used to perpetuate, communicate, or formalize knowledge, regardless of whether they are in final form.

**Public Records Request:** The term public records request means a request by any person, whether written or verbal, for inspection, examination, or copying of public records.