

NORTHERN LEBANON SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: PUBLIC RECORDS

ADOPTED: May 12, 1987

REVISED: May 9, 2006

801. PUBLIC RECORDS	
<p>1. Purpose SC 3601</p>	<p>The Board recognizes the importance of public records as the record of the acts of this district and the repository of information about this district. The public has the right under law to inspect and to procure copies of such records with certain exceptions subject to the following guidelines.</p>
<p>2. Definition 65 P.S. Sec. 66.1</p>	<p>The public records 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 of 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 of persons.</p>
<p>3. Authority 65 P.S. Sec. 66.1 et seq SC 408, 518</p>	<p>The Board shall make the public records of this district available for inspection, and copies thereof in accordance with these guidelines, with the exception of those records exempted from such inspection and copying by law and the rules of this Board.</p> <p>Records exempted by law include:</p>
<p>Title 22 Sec. 12.33</p>	<ol style="list-style-type: none"> 1. Reports, communications or other items, the publication of which would disclose the institution, progress or result of an investigation. 2. Any record, document, material, exhibit, report, memorandum, or other paper access to which or publication of which is prohibited, restricted or forbidden by law or court order or decree; or which would operate to the prejudice or impairment of a person's reputation or personal security; or result in the loss of federal funds, except the record of a conviction for any criminal act.
<p>P.L. 93-380 45 CFR 99</p>	<ol style="list-style-type: none"> 3. Records concerning individual pupils.
<p>4. Guidelines</p>	<p>The public may inspect and procure copies of the public records of this district, except exempted records enumerated above, during the regular business hours of the district office.</p>

<p>42 U.S.C. Sec. 12101 et seq</p>	<p>The Right-to-Know Law permits any citizen of the Commonwealth of Pennsylvania to inspect a public record of the Northern Lebanon School District.</p> <p>A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium.</p> <p>The district is not required to create a public record that does not exist nor to compile, maintain, format or organize a public record in a manner different from that currently maintained by the district. If a public record is maintained only in an electronic format, the district shall, duplicate the record on paper, upon request.</p> <p>Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice.</p> <p>No public record shall be removed from the control of supervision of the designated official.</p> <p>Nothing in this policy shall be construed as preventing a Board member from inspection of any record of this district in the performance of official duties.</p> <p><u>Request For Access</u></p> <p>A request for access to a public record shall be submitted to the office of the Superintendent.</p> <p>Request may be submitted in writing, by facsimile or by e-mail.</p> <p>Each request must include the following information:</p> <ol style="list-style-type: none">1. Identification of the requested record, in sufficient detail.2. Medium in which the record is requested.3. The name and address of the person to receive the district's response. <p><u>Response To Request</u></p> <p>The Superintendent or designee shall review the request and respond promptly within five (5) business days of receiving the request. If the district fails to respond to a request within five (5) days, the request for access shall be deemed denied.</p>
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If the district determines that the request will be granted, a response shall be sent within five (5) business days. The response shall include the regular business hours of the district office, the medium in which the record is provided, and the assessed fees.

If the district determines that more than five (5) business days are required to respond to the request, in accordance with the exceptions stated in law, notice shall be sent indicating that the request is being reviewed, the reason for the review, and a date when the response will be provided.

Denial Of Request

If the district denies a request for access to a public record, a response shall be sent within five (5) business days of receiving the request. The response denying the request shall include:

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting authority.
3. Name, title, business address and telephone number, and signature of the employee who denied the request.
4. Date of the response.
5. Procedure to appeal denial of access.

The district shall not deny access to a public record based on the intended use by the requestor.

Appeal Of Denial

If a request for access to a public record is denied or deemed denied, the requestor may file a written exception within fifteen (15) business days of the mailing date of the response or a deemed denial.

Upon receipt of the exception, the Superintendent or designee shall make a final determination of the request within thirty (30) days of the mailing date. If denied, a written explanation shall be provided.

The final determination shall be the final order of the school district. The requestor may appeal the district's final order, in accordance with the provisions of law.

<p>5. Delegation of Responsibility</p> <p>SC 518 Title 22 Sec. 12.33 et seq P.L. 93-380 Pol. 216</p> <p>65 P.S. Sec. 66.1</p> <p>School Code 408, 518</p> <p>PA Code Title 22 Sec. 12.33 et seq</p> <p>PA Statute 65 P.S. Sec. 66.1 et seq</p> <p>42 U.S.C. Sec. 12101 et seq</p> <p>Board Policy 216, 324, 424, 524</p>	<p><u>Fees</u></p> <p>Duplicates of public records shall be provided by the district upon payment of applicable fees.</p> <p>A list of fees that may apply shall be provided to each requestor. The district shall not assess any fees for staff time or resources used to evaluate a request for access to public records.</p> <p>The district may require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100.</p> <p>The Superintendent shall develop procedures to implement this policy which include:</p> <ol style="list-style-type: none"> 1. Preparation of a retention schedule which shall: conform to law; as a minimum require the permanent safeguarding of Board minutes, annual audit reports and permanent pupil records; and the retention of all fiscal records required for audit until said audit has been received and approved. 2. Provisions to guard the confidentiality of records exempted from the availability of public records. 3. A list of reasonable fees applicable to all requests for inspection and duplication of public records, in accordance with law.
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