

Ashland School District 5

Code: KBA
Adopted: 8/09/04
Revised/Readopted: 6/12/17; **date**
Orig. Code: KBA

Public Records Request**

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the district office.

“Public record” means any information that:

1. Is prepared, owned, used or retained by the district;
2. Is related to an activity, transaction or function of the district; and
3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the district.
4. Is any writing that contains information relating to the conduct of the public’s business, prepared, owned, used or retained by the district regardless of physical form or characteristics, unless otherwise exempted by law.

Public record does not include messages on voice mail or on other telephone message systems or spoken communication that is not recorded.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or rule or by pertinent court rulings.

The Board’s official minutes, its written policies and its financial records will be available at the superintendent’s office for inspection by any citizen during regular office hours

All such information will be made available to individuals with disabilities in any appropriate format upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about the programs and services of their school and will make every effort to disseminate information. The superintendent and principals are authorized to use all means available to keep parents and others of the school’s community informed about the school’s program and activities.

Employee and volunteer personal residential addresses, personal electronic mail addresses, social security numbers, dates of birth, and personal telephone or cellular numbers contained in personnel records maintained by the district are exempt from public disclosure pursuant to state law.

The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The district will not disclose the identification badge or card of an employee without the employee's written consent if it contains a photograph and is prepared solely for internal use to identify employees.

No records will be released for inspection by the public or any unauthorized persons - either by the superintendent or any other person designated as custodian for school district records - if such disclosure would be contrary to the public interest, as described in state law.

Upon receipt of a request, the district will respond as soon as practicable and without unreasonable delay, acknowledging receipt and indicating the status or estimated completion time.

The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making copies of public records available to the public. The district will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Requests for copies of documents shall be in writing and submitted to the district office.

The district shall retain and maintain its public records in accordance with OAR 166, Division 400, and ORS Chapter 192.

END OF POLICY

Legal Reference(s):

ORS 180.805
ORS Chapter 192
OAR 137-004-0800(1)
OAR 166-005-0010
OAR 166-400

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630; 28 C.F.R. Part 35.

Americans with Disabilities Act Amendments Act of 2008.

Oregon Dep't of Justice, Oregon Attorney General's Public Records and Meetings Manual.

Bialostosky v. Cummings, 319 Or. App. 352 (2022).