

PUBLIC ACCESS TO RECORDS

Descriptor: KDB Issued: Draft 10/10
Rescinds: KDB Issued: 03/24/1998

BOARD POLICY

All public records maintained by the District, as defined by the Mississippi Public Records Act of 1983, shall be made available for access and duplication, subject to the exceptions and requirements of this policy and applicable state or federal laws.

The Board authorizes the superintendent to establish administrative procedures consistent with this policy for public records production, and the cost, time, place and method of access.

ADMINISTRATIVE PROCEDURE

1. Requests for access to public records must be filed on forms provided with the superintendent at , Tupelo Public School District, 201 South Green Street, Tupelo, Mississippi 38801. on any working day.
 - 1.1. To enable personnel of the District to locate a record, a request must state with sufficient specificity the nature and description of the public record sought. In the event that the request lacks sufficient clarity, it will be returned to the originator for clarification or correction.
 - 1.2. Requests for inspection and/or duplication of records will be honored at such time as the personnel of the district are not using the documents. After the records are made available for inspection and/or duplication, The originator of the request will be notified of a time, place and date, no later than fourteen days from the date of the receipt of the request, to allow inspection and/or duplication.
2. The District may charge and collect fees as reimbursement for the actual costs of searching, reviewing, duplicating and mailing copies of public records. All applicable charges will be paid to the District in advance of complying with any request, pursuant to the following guidelines:
 - 2.1. Statistical data and related information will be provided at no charge to District appointed committees.
 - 2.2. Copies of an existing document of ten or less fewer letter or legal size pages will be provided at no charge to citizens of the District. Thereafter, copy charges outlined in this policy shall apply.

2.3. The cost of reproducing ~~additional~~ legal size or smaller documents shall be \$.50 per page, and the cost of producing documents having larger size pages shall be \$1.00 per page.

2.4. The cost of searching for and locating the material shall be \$2.50 per quarter-hour, with a minimum charge of \$5.00.

2.5. The cost of review by the superintendent, or designee, shall be ~~\$5.00~~ \$10.00 per quarter hour.

2.6. The actual cost of necessary postage and any additional costs will be charged to the requesting party.

3. ~~Examples of the types of~~ records that are exempt from the ~~Mississippi Public Records Act and from this policy and~~ ~~which~~ shall not be subject to disclosure except under other ~~legal~~ authority and under appropriate circumstances ~~include~~:

3.1. Records furnished to ~~public bodies~~ ~~the District~~ by third parties that contain trade secrets or confidential commercial or financial information, ~~until said third party has had notice and the opportunity to obtain a court order protecting;~~ ~~as provided by the ACT.~~

3.2. Confidential or privileged records, as provided by constitutional, statutory or case law of this state or of the United States;

3.3. Records which are developed among judges, judges and their aides, and juries;

3.4. Personnel records, including but not limited to applications for employment, test questions and answers used in employment examinations, and letters of recommendation;

3.5. Test questions and answers in the possession of the District that are to be used in future academic examinations;

3.6. Records which represent the work product of an attorney representing the District, records ~~which are~~ relating to litigation ~~involving~~ ~~by or against~~ the District, or in anticipation of prospective litigation, and communications between the District and the ~~its~~ attorney; ~~in the course of an attorney-client relationship;~~

3.7. Records ~~which would disclose information about~~ ~~concerning~~ a person's ~~individual~~ tax payment or status;

3.8. Records concerning the sale or purchase of property for public purposes prior to the announcement of the purchase or sale where the release of the records would have a detrimental effect on the sale and purchase;

3.9. All educational records of students and former students, including letters of recommendation. ~~as defined by the Federal Privacy Act; such exemption shall also apply to letters of recommendation respecting admission to any educational agency or institution;~~

~~3.10. Records that are maintained regarding the process of detection and investigation of unlawful activity, in addition to such records as defined in MCA §45-29-1.~~

~~3.11. Commercial and financial information of a proprietary nature required to be submitted to the District.~~

4. A written statement of the reasons for the denial will be provided in the event that a request for access to public records is denied. The District will maintain a record of all denials for a period of three years.

EXHIBITS

None

REFERENCES

MCA §§ 25-61-1 et seq.; Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99)

FORMS

Do we have any forms for submission of a PRA request?

***RESCINDS**

KDB 03/24/1998