Board/School District Records

Any recorded data or information relating to the conduct of the public's business prepared, owned, used, received, or retained by the Bethany Board of Education (Board) or the Bethany Public School District (District), whether handwritten, typed, tape-recorded, printed, photocopied, photographed, or recorded by any other method is by definition a "public record" and access thereto during normal hours of business shall be granted to any citizen. The Board recognizes the need for its records to be stored as a blend of printed, bound, and electronically recorded material. All such records shall be maintained at the office of the Superintendent, who shall be the custodian of all public records of the District.

Not included in the category of public records to which the privilege of access is given are the following:

1. Preliminary drafts or notes provided the custodian or the Board has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure.
2. Personnel or medical files and similar files, the disclosure of which would constitute an invasion of personal privacy.
3. Records pertaining to strategy and negotiations with respect to pending claims and litigation to which the District is a party until such litigation or claim has been adjudicated or otherwise settled.
4. Trade secrets.
5. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations.
6. The contents of real estate appraisals, engineering or feasibility estimates, and evaluation made for or by the District relative to the acquisition of property or to prospective public supply and construction contracts until such time as all of the property has been acquired or all proceedings or transactions have been terminated (except that the law of public domain is not affected by this provision).
7. Records, reports, and statements of strategy or negotiations with respect to collective bargaining.
8. Records, tax returns, reports, and statements exempted by federal law or state statutes or communications privileged by the attorney-client relationship.
9. Names or addresses of students enrolled in the school without the consent of each student whose name or address is to be disclosed who is eighteen (18) or older and a parent or guardian of such minor student.
10. Records including engineering and architectural drawings; security systems' operational specifications (except a general description, cost, and quality of the system); training manuals that describe security procedures, emergency plans, or security equipment; internal security audits; and logs and other documents containing information on security personnel movement or assignments if reasonable grounds exist to believe their release would pose a safety risk, including harm to anyone, a facility or equipment.

11. Security manuals, emergency plans, emergency recovery or response plans, and staff meeting minutes or records or portions of them that contain or reveal security information or otherwise exempt records.
12. Educational records not subject to disclosure under the Family Educational Rights and Privacy Act; as amended.
13. Records of standards, procedures, processes, software, and codes not otherwise available to the public, the disclosure of which would compromise the security or integrity of an information technology system.

Availability of Records

Any person shall receive on request, a plain or certified copy of any public record except those which access is not permitted under law, at a cost not to exceed fifty cents (50¢) per page. If any copy requested requires a printout or transcription, or if any person applies for a printout or transcription of a public record, the fee shall not exceed the cost to the District. The District will require prepayment of the fee if the fee is estimated to be two dollars ($2.00) or more. There will be no sales tax for this service. There will be no charge if the person requesting the record is indigent, the record requested is exempt from disclosure, or if, in the judgment of the custodian of records, compliance with the request benefits the general welfare.

An additional charge of one dollar ($1.00) for the first page and fifty cents (50¢) for each additional page may be made for certification of any records or of any fact within the record.

An individual may use a handheld scanner, as defined by Connecticut General Statute 1-212(g), to copy a public record. The Board establishes a fee structure not to exceed twenty dollars ($20) for an individual to pay each time the individual copies records at the Coard offices with a handheld scanner.

The Board considers the use of a Smartphone as analogous to a handheld scanner and therefore, subject to a twenty dollar ($20) flat fee.

The Board considers cell phones with camera capability, not a handheld scanner. Such phone cannot be used to take pictures of any records. The District will make copies of the requested permissible records at the rate of fifty cents (50¢) per page.

The Superintendent, on behalf of the Board, shall notify an employee in writing when a request is made for disclosure of the employee's personnel, medical, or similar files if the Superintendent reasonably believes disclosure would invade the employee's privacy.

Legal Reference: Connecticut General Statutes § 1-15

Connecticut General Statutes § 1-200

Connecticut General Statutes §§ 1-210 to 1-213, as amended

Connecticut General Statutes § 1-211

Connecticut General Statutes § 1-212(g)

Connecticut General Statutes § 1-214

Connecticut General Statutes §§ 1-225 to 1-240

Paulsen v. Superintendent of Schools, Bethel Public Schools, #FIC 2015-663 (June 8, 2016)

Federal Rules of Civil Procedure - 2006 Amendments

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