Houston County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in September	**School District Records**	**1.407**	**11/13/17**
		Rescinds: **BE**	Issued: **11/08/99**

The director of schools shall maintain all school district records required by law, regulation, and board policy. Any citizen of Tennessee shall be permitted during business hours to inspect public records maintained by the school district unless otherwise prohibited by law. Any citizen of Tennessee may request in writing and receive copies of open public records subject to the payment of reasonable cost.[1,2,3,4]

No records pertaining to individual students will be released for inspection by the public or any unauthorized persons. In addition, information, records, and plans related to security and safety will not be released for public inspection.[11]

All requests to inspect or receive copies of records shall be submitted to the K-12 Director of Teaching & Learning, the district's public records request coordinator and records custodian.[12]

Prior to producing any record, the records custodian shall ensure confidential information is redacted. Original documents remain intact and confidential information in copies produced for a requestor shall be redacted. The director of schools shall develop a procedure to redact confidential information.

REQUESTS FOR INSPECTION[2]

Citizens requesting to inspect public records shall submit their request and a government issued photo identification card with the citizen's address to the district's public records request coordinator during normal business hours. Requests may be made in person or by telephone, fax, mail, or email. The coordinator shall submit the information to the appropriate records custodian. The records custodian will contact the citizen and indicate when the records will be available to inspect.

If the records cannot be made available within seven (7) business days, the records custodian shall provide a records production letter indicating the time needed to complete the request.

If the request to inspect is denied, the records custodian shall provide the citizen with a records request denial letter indicating the basis for the denial.

REQUESTS FOR COPIES[2]

Citizens requesting copies of public records shall complete and submit the Records Request Form and a government issued photo identification card with the citizen's address to the district's public records request coordinator during normal business hours. The coordinator shall submit the Records Request Form to the appropriate records custodian.

The records custodian shall provide an estimate of the reasonable costs to produce the requested records. The Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable Charges found at https://www.comptroller.tn.gov/openrecords/forms.asp shall be used to determine the reasonable cost. The records custodian will provide the citizen with an invoice detailing the charges. The citizen shall pay the estimated reasonable costs by cash or check prior to the district producing the copies.

If the records cannot be made available within seven (7) business days, the records custodian shall provide a records production letter indicating the time needed to complete the request.

If the request for copies is denied, the records custodian shall provide the citizen with a records request denial letter detailing the basis for the denial.

FREQUENT AND MULTIPLE REQUESTS

When the total number of requests for copies made by a requestor within a calendar month exceeds four (4), the requestor may be charged a fee for any and all labor that is reasonably necessary to produce copies of the requested records. Prior to charging a reasonable fee, the requestor shall be notified of this policy and provided with a Notice of Aggregation of Multiple Requestors form. The Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable Charges found at https://www.comptroller.tn.gov/openrecords/forms.asp shall be used to determine the reasonable cost. Further, the names of persons inspecting records and the date of inspection shall be recorded.

DENYING REQUESTS FOR NONCOMPLIANCE[13]

Requests to Inspect a Public Record

The district shall deny a request to inspect a public record from any citizen that has:

a. made two (2) or more requests to view a public record within a six-month period; and
b. for each request failed to view the record within fifteen (15) business days of receiving notification that the record was available.

Requests from this citizen shall be denied for up to six (6) months from the date of the second records request. The district's public records request coordinator may waive this denial if he/she determines that failure to view the record was for good cause.

Requests for Copies of Public Record

The district shall deny a request for copies of a public record from any citizen that has:

a. been provided with an estimate of the reasonable cost to produce the requested records;
b. agrees to pay such estimated reasonable cost prior to production of the records; and
c. fails to pay the actual cost after the records have been produced.

Additional requests from this citizen shall be denied until the original cost is paid.

RECORDS RETENTION

The director of schools and/or his/her designee(s) shall retain and dispose of school district records in accordance with the following guidelines:[2,4]

1. The director of schools and/or his/her designee(s) will determine if a particular record is of permanent or temporary value in accordance with regulations promulgated by County Public Records Commission and the Tennessee Institute for Public Services records manual;[5,6]

2. Temporary value records which have been kept beyond the required time may be recommended to the Public Records Commission for destruction;[7,8]

3. The records that the State Librarian and Archivist desire to preserve in their facilities will be transferred to the State Library and Archives. The temporary value records rejected by the State Library and Archives may be transferred to another institution or destroyed;[7,8,9]

4. Permanent records will be kept in some usable form (digital, printed, microfilm, etc.). If the director of schools desires to destroy the original permanent record, these records must be reproduced by microfilming or some other permanent reproduction method. Permission to destroy any original permanent record after microfilming follows the same procedure noted above for temporary records;[6,8] and

5. The director of schools shall establish procedures to safeguard against the unlawful destruction, removal, or loss of records.[10]

DISTRICT PUBLIC RECORDS REQUEST COORDINATOR[14]

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Legal References
1. TCA 49-2-301(b)(1)(CC)
2. TCA 10-7-503; Public Acts of 2017, Chapter No. 233
3. TCA 10-7-506(a)
4. TCA 49-2-104
5. TCA 10-7-401
6. TCA 10-7-406
7. TCA 10-7-404
8. TCA 10-7-413
9. TCA 10-7-414
10. TCA 39-16-504
11. TCA 10-7-504(p)
12. *Policy Related to Reasonable Charges a Records Custodian May Charge for Frequent and Multiple Requests for Public Records*, Tennessee Comptroller of the Treasury, *available at* https://www.comptroller.tn.gov/openrecords/forms.asp.
13. Public Acts of 2017, Chapter No. 233
14. TCA 10-7-503(g)(4)

Cross References

Financial Reports and Records 2.701
Personnel Records 5.114
Student Records 6.600