

Hart County Schools

Open Records Request Procedures

Purpose

Public policy requires the “free and open examination of public records.” (KRS 61.871) The Kentucky Open Records Act (KRS 61.870 to KRS 61.884), or KORA, provides access to public records that, by law, are not exempt from disclosure. Public records are those materials prepared, owned, used, possessed, maintained or retained by state and local government agencies that must be open for public inspection unless the records are excluded by any of the exemptions in KORA. Public agencies are not required to compile information or to answer questions, but to provide only specific records responsive to a request. Accordingly, the Hart County School District (“District”) must respond effectively and efficiently to records requests in a consistent and coordinated manner. Therefore, this Open Records Procedure (“Procedure”) sets forth the standards for all District employees when a records request is received and ensures compliance with all applicable open records laws. It is the intent of Hart County Schools to comply with the requirements contained in the KORA to provide full access to public records, to protect public records from damage and disorganization, to prevent excessive disruption of its essential functions, to assist and provide information upon request, to and ensure efficient and timely action in response to application for inspection.

If you would like to make a request, please use this [form](#) provided by the Kentucky Attorney General’s office.

Records Custodian

The District shall designate an employee as its Records Custodian. The Records Custodian shall review the Kentucky Open Records Act, 200 KAR 1:020, and “Your Duty Under the Law – The Kentucky Open Records Act and Open Meetings Act,” published by the Office of the Attorney General. The Records Custodian shall ensure compliance with the Kentucky Open Records Act, 200 KAR 1:020, this Procedure, and all relevant requests.

The District designates the following Records Custodian:

Bo Chenoweth, Assistant Superintendent
25 Quality Street
Munfordville, KY 42765
270-524-2631
burke.chenoweth@hart.kyschools.us

The District designates the following alternates:

Chris Russell, Finance Officer chris.russell@hart.kyschools.us
Angela Frank, Human Resources angela.frank@hart.kyschools.us
25 Quality Street
Munfordville, KY 42765
270-524-2631

Tracking Records Requests

Employees shall date-stamp any request to inspect or otherwise receive records upon receipt, and deliver the request immediately to the Records Custodian. If the Records Custodian is unable to respond to the request due to absences or other extenuating circumstances, the request shall be delivered to an alternate records custodian. If an employee is uncertain whether a request qualifies as an Open Records Request, or does not specifically invoke the Open Records Act but appears to request records, the employee shall immediately refer the request to the Records Custodian for a preliminary determination.

The Records Custodian shall notify the Superintendent of requests made by any member of the media. In addition, the Records Custodian shall determine whether the request relates to pending litigation handled by the District. If so, the Records Custodian shall notify the board attorney handling such litigation.

Responding to Records Requests

All requests for copies or review of public records in the custody of the District must be made in writing or may be submitted electronically through email to the email address provided above. Email requests for records should include a mailing address, contact number, and electronic signature. Requests may also be mailed to the District or hand delivered the Hart County Board of Education Office, 25 Quality Street, Munfordville, KY 42765, from 8:00 am to 4:00 pm, Monday through Friday, each week, except holidays (Attn.: Records Custodian).

The Records Custodian shall provide a response to the records request that is postmarked or electronically transmitted within the number of business days required by law. *Currently state law requires a written response to an open records request be issued within five (5) days (excluding weekends and legal holidays).* The Records Custodian shall promptly notify the requesting party if additional time is needed under KRS Chapter 61. When a response is delayed, the notice shall specifically indicate that additional time is required to process the request and explain the circumstances justifying additional processing time.

The Records Custodian shall determine whether the requester has reasonably described records within the possession of the District. If no such records are identified, the request may be denied on those grounds. However, if it is reasonably believed that another state agency is in possession of the records described in the request, the Records Custodian shall refer the requester to the appropriate records custodian, providing both their name and contact information. If it is determined that the records are within the District's possession, the Records Custodian shall gather them for processing.

If the Records Custodian determines that the records request should be denied in whole or in part, the Records Custodian shall notify the requester with an explanation for the decision to withhold any responsive records, citing the specific exemption in statute as the basis for withholding. If any part of a request for records is denied, the Records Custodian shall confer with legal counsel to ensure accuracy in applying the law.

If the request places an unreasonable burden for producing public records, or if the Records Custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the Office, the Records Custodian may refuse to produce the records upon conferring with legal counsel prior to denying the request.

Record Production

When responsive records are to be transmitted electronically to the requester, there is no charge to the requester. When responsive records are to be mailed to the requester, the Records Custodian shall first provide an invoice to the requester for the production and postage. Printing costs are \$0.10 per page, and additional fees shall be justified on any invoice. Copies of photographs, maps, and other such records shall be furnished to any person requesting them on payment of a fee equal to the District's actual cost to produce the copies. Estimated costs shall be communicated to the requester before costs are incurred. After the invoice is paid, the Records Custodian shall produce the responsive records to the requester. If the requester wishes to personally inspect responsive records at the location where the records are maintained, the Records Custodian shall facilitate with the requester the scheduling of a convenient time and place for inspection. The Records Custodian, or an employee of the District, shall be present and personally monitor the inspection.

If you would like to make a request, please use this [form](#) provided by the Kentucky Attorney General's office.