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48 2. Requests shall be directed to the Alexandria City Public Schools FOIA officer, and contact
49 information is listed on the ACPS website.
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51 3. Any requests received by staff are immediately forwarded to the FOIA officer with a
52 notation indicating the date and time the request was received.
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54 4. A copy of this regulation is provided upon request.
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56 Responding to Requests

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58 1. Prior to conducting a search for records, ACPS notifies the requestor in writing that it may
59 make reasonable charges not to exceed its actual cost incurred in accessing, duplicating,
60 supplying, or searching for requested records and inquires of the requestor whether the
61 requestor would like to request a cost estimate in advance of the supplying of the requested
62 records as set forth in Va. Code § 2.2-3704.F. A requestor may request that ACPS estimate
63 in advance the charges for supplying the records requested. This will allow the requestor
64 to know about any costs upfront, or give the requestor the opportunity to modify the request
65 in an attempt to lower the estimated costs. Any costs incurred in estimating the cost of
66 supplying the requested records will be applied toward the overall charges to be paid by
67 the requestor for the supplying of such requested records.
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69 2. Promptly, but in all cases within five working days of receiving the request, the school
70 division will provide the requested records to the requester, or make one of the following
71 responses in writing:
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73 (a) The requested records are being entirely withheld. The response will identify with
74 reasonable particularity the volume and subject matter of the withheld records and with
75 respect to each category of withheld records, cite the specific Virginia Code section(s)
76 that authorize(s) the withholding of records.
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78 (b) The requested records are being provided in part and are being withheld in part. The
79 response will identify with reasonable particularity the subject matter of the withheld
80 portions and cite, with respect to each category of withheld records, the specific
81 Virginia Code section(s) which authorize the withholding of records.
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83 (c) The requested records could not be found or do not exist. If the school division knows
84 another public body has the requested records, the response includes contact
85 information for the other public body.
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87 (d) It is not practically possible to provide the records or to determine whether they are
88 available within the five-day period. Such response specifies the conditions which
89 make a response impossible. If such response is made within five working days, one of
90 the preceding responses, (a), (b) or (c), is provided within an additional seven-day
91 period.

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No public record is withheld in its entirety on the grounds that some portion of the public record is excluded from disclosure by law. A public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion may be withheld, and all portions of the public record that are not so excluded are disclosed.

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The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search, and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of records requested.

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- 3. The five-day period begins on the first working day following the day the request is received by the school division, and ends at the close of business on the fifth working day following receipt of the request. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice is not counted in calculating the five working days.

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Processing of Requests

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- 1. The FOIA officer, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days.

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- 2. If the FOIA officer is unsure whether the requested documents should be provided to the requester, legal advice is promptly sought.

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- 3. If the FOIA officer is uncertain whether the requested records exist or where they may be located, efforts are promptly initiated to locate the records or determine whether they exist.

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- 4. If the requested records will be made available either in whole or in part, the FOIA officer promptly consults with Central Office staff to determine the cost involved to assemble the records for inspection and copying. All requests for documents that require more than 15 minutes of staff time to compile are subject to charges. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this shall also be taken into account. Charges are based upon the following rates (subject to change, not to exceed the actual cost):

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- Data system searches (e.g., e-mail, student information system): \$50 per hour
- Professional staff time: \$30 per hour
- Clerical and secretarial staff time: \$18 per hour

- 138 ● Photocopying/printing: \$12 cents per page
- 139 ● Formatting expenses will vary and will be charged accordingly
- 140 ● Incidental out-of-pocket costs necessary to assemble the records (for example: phone,
- 141 postage, or courier charges)
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- 143 5. If the requester has asked for an advance determination of the cost, or if the cost is
- 144 expected to exceed \$200, the requester shall be notified in advance of the cost associated
- 145 with the request. If the cost of the request is determined to exceed \$200, the School Board
- 146 may, before continuing to process the request, require the requester to agree to payment of
- 147 a deposit not to exceed the amount of the advance determination. The deposit shall be
- 148 credited toward the final cost of supplying the requested records. No further action shall be
- 149 taken until the requester responds, and the requester must agree to pay the estimated
- 150 amount before any further processing of the request is performed.
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- 152 6. Before processing a request for records, the FOIA officer may require the requester to pay
- 153 any amounts owed to ACPS for previous requests for records that remain unpaid 30 days
- 154 or more after billing.
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- 156 7. If school division records have been transferred to any entity, including any other public
- 157 body, for storage, maintenance or archiving, the school division remains the custodian of
- 158 the records for purposes of responding to requests and is responsible for retrieving and
- 159 supplying the records to the requester.
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- 161 8. Any records to be disclosed shall be assembled for inspection and copying by Central
- 162 Office staff members, under the direction and supervision of the FOIA officer.
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- 164 9. Central Office staff are responsible for recording the date the request was received, and
- 165 recording and assembling additional information about the request.

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167 Established: June 1, 2006
168 Revised: July 2, 2007
169 Revised: September 14, 2007
170 Revised: June 23, 2016
171 Revised: December 15, 2016
172 Revised: December 20, 2018
173 Revised: February 2, 2023
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175 Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.01, 2.2-3704.1, 2.2-
176 3704.2.
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178 Cross Refs.: IFB Approval Process for Research Studies
179 KBA Requests for Information
180 KBE Internet Privacy