

POST FALLS SCHOOL DISTRICT NO. 273

Series 700: Business Procedures: Records

Policy No. 705.3

Policy Title: Access to Public Records

Page 1 of 1

It is the policy of the Board of Trustees to support the public's right to examine and/or obtain a copy of district records within the rights, privileges, and restrictions as set by federal or state laws and regulations, or by pertinent court rulings. Certain public records by law or regulation are exempt from disclosure, such as student records under the Family Education Rights and Privacy Act (FERPA) or personnel records protected under Idaho Code. Public records are defined as an existing record, public record law does not require the district to create a record. The superintendent and/or designee(s) will serve as the public records custodian. The public records custodian will direct patrons through the public records request process, including directing the patron to the proper form for a request submission.

State and federal laws require:

1. A citizen requesting a record cannot be questioned as to why they wish to have the information other than to verify the information will not be used for purposes prohibited by law.
2. The request must be made in writing to include name, address, and telephone number.
3. The request must be granted or denied within three (3) working days.
4. If more than three (3) working days are needed to find, retrieve, and/or compile the records, the requestor must be notified in writing that additional time is needed to review the request, and the request must be granted or denied within ten (10) working days.
5. If the records are approved for viewing, a place will be provided with appropriate measures of oversight to ensure that no record is removed, altered, or destroyed.
6. Records may be provided electronically if preferred by the requestor and if the records custodian determines electronic dissemination requires less labor.
7. If records are approved to be copied, scanned, or converted to a viewable format, the fee schedule outlined in this policy will be followed. Advance payment for the cost may be required.
8. If the request is denied, the written notice of denial will state that the district's attorney has reviewed the request and will indicate the statutory authority for the denial as well as clearly indicating the person's right to appeal the denial and the time periods for doing so.

The records copying fee schedule for the district is as follows:

1. Copies of public records: 10¢ per page;
2. The district will add the costs for labor if:
 - a) the request is for 100 or more pages;
 - b) the request includes non-public information that must be redacted; and or
 - c) the labor associated with locating and copying, scanning, printing, or converting the files to a viewable format exceeds two (2) hours.

Legal References: IC 9-337, 9-338, 9-339, 74-104-74-111, 74-205

Applicable Procedural Regulations: 705.3a

Date of Adoption: 1/8/07

Amended: 12/11/23