

Descriptor Term: ACCESS TO PUBLIC RECORDS

Descriptor Code: CN-R

Rescinds: CN-R

Board Approved: 1/24/2011

Previously Approved: 7/10/2006

GULFPORT SCHOOL DISTRICT PUBLIC RECORDS ACCESS PROCEDURES

The following policies and procedures are adopted in order to comply with the requirements of the Mississippi Public Records Act of 1983 (hereinafter the "Act".)

RECORDS ACCESSIBLE

All "public records" maintained by the Gulfport School District, as defined by the Act, will be made available for access and duplication, subject to the exceptions and requirements of these policies, and other state or federal laws.

REQUESTS FOR ACCESS

Requests for access to public records will be filed in writing, on forms developed by staff with the Superintendent. The request must state with sufficient specificity the nature, location, and description of the public record sought in order to enable the appropriate employee of the District to obtain the records for review and/or duplication. In the event that the request lacks sufficient clarity or is otherwise unduly burdensome, it will be returned to the originator for clarification or correction. All requests to inspect or duplicate public records must be filed in the Superintendent's office between the hours of 9:00 a.m. and 3:00 p.m. on any working day. Requests for inspection and/or duplication of records will be honored at such time during the day as the documents are not being used by the appropriate officials of the District. After the records are located and made available for inspection and/or duplication, the originator of the request will be notified of a time, place and date, not later than seven (7) days from the date of the receipt of the request, to allow inspection and/or duplication.

FEES CHARGED

As allowed by statute, the District will charge and collect fees to reimburse it for the actual costs of searching, reviewing, duplicating and mailing copies of public records. All applicable charges will be paid to the District in advance of complying with any requests, pursuant to the following

schedule:

Photocopying: 30 cents per page, with a minimum charge of \$1.00 per search.

Searching & Reviewing: An hourly charge equal to the hourly rate of the employee or, in the event it is necessary for supervisory personnel to conduct the search and review, then an amount that equals the actual wage per hour of such person.

Postage: Actual cost of postage will be assessed for all records mailed.

Any request that requires considerable assistance of school personnel for searching and reviewing will be subject to a minimum deposit of \$50.00. In the event that the actual cost is found to be less than \$50.00, the balance will be refunded to the originator of the request at the appointed time for the inspection and/or duplication.

EXEMPT RECORDS

The following records are exempt from the Act and from this policy and will not be subject to disclosure, except under other authority and under appropriate circumstances.

1. Test questions and answers in the possession of a public body that are to be used in future academic examinations.
2. All educational records of students and former students, as defined by Policy JCF and by the Federal Privacy Act; such exemption will also apply to letters of recommendation respecting admission to any educational agency or institution.
3. Personnel records including, but not limited to, applications for employment, test questions and answers used in employment examinations, and letters of recommendation.
4. Records that would disclose information about a person's individual tax payment or status.
5. Records that represent and constitute the work product of an attorney representing the District, records that are related to litigation by or against the District, or in anticipation of prospective litigation, and communications between the District and the attorney in the course of an attorney-client relationship.
6. Records that are maintained regarding the process of detection and investigation of unlawful activity, in addition to such records as defined in Section 45-29-1 of the Mississippi Code of 1972.
7. Records concerning the sale or purchase of property for public purposes prior to the announcement of the purchase or sale where the release of the record would have a detrimental effect on the sale and purchase.
8. Commercial and financial information of a proprietary nature required to be submitted to the District.
9. Records that are confidential or privileged, as provided by constitutional, statutory or case law of this state or of the United States.
10. Records that are developed among judges, judges and their aides, and juries.
11. Records furnished to public bodies by third parties that contain trade secrets or confidential, commercial or financial information, as provided by the Act.

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DENIAL OF ACCESS

In the event that the District denies a request for access to or copies of public records, the denial will be in writing and contain a statement of the reasons for the denial. The District will maintain a record of all denials for a period of three (3) years.

Legal Reference: Mississippi Code 1972, '25-61-1 through '37-11-51

GULFPORT SCHOOL DISTRICT
Public Records Access Report

Name of Requesting Party: _____

Address: _____

Telephone No.: _____

Nature, location and description of record(s) sought:

Request for inspection: Yes _____ No _____

Request for duplication of records: _____ Yes _____
No

I agree to be financially responsible for all charges assessed by the Gulfport School District as actual costs incurred in searching, reviewing and/or duplicating the public records described above.

Date: _____ Time: _____

AMOUNT OF DEPOSIT:

Paid: _____

Received by: _____