

DISTRICT RECORDS AND REPORTS

The operation of a school district results in the generation of numerous documents and official records. These must be maintained in compliance with the NJ Open Public Records Act and other laws and regulations. Members of the public have the right under law to inspect and copy (with certain exceptions) the public records of the district. These records shall not include information deemed to be confidential pursuant to statute and/or regulation.

The district plans to preserve these records by:

- A. Appointing the business administrator as records custodian;
- B. Periodically reviewing records retention with the chief school administrator and the school board or a committee thereof; and
- C. Retaining records according to the schedule for educational institutions promulgated by New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS).

Availability to the Public

For the protection of the public interest, the board believes that members of the community have a right to inspect, copy or examine district records, with certain exemptions as specifically described in statute. Any limitations on this right shall be construed in favor of the public's right to access. Requests for district records shall be submitted to the records custodian (or designee) in writing on the appropriate form, or via letter or email as long as it contains the required information. The request shall not be considered as submitted until it is received by the custodian of records.

The custodian shall reply to all requests promptly and shall grant access or deny the request as soon as possible, but within seven days, provided that the record is currently available and not in storage or archived. If, however, the request is for a commercial purpose, or if the records have to be reviewed for the purpose of compliance with P.L.2021, c.371 (C.47:1B-1 et seq.), the custodian has up to 14 business days to respond. The custodian shall notify the requestor of the additional response time within seven business days.

In the event the custodian is unable to fulfill the request due to unforeseen circumstances or circumstances that reasonably necessitate additional time, the custodian is entitled to a reasonable extension of the response deadline and will notify the requestor of the time extension within seven business days after receiving the request.

The custodian shall permit district records to be inspected, examined or copied during the hours that the board office is open (or for small districts with an enrollment of 500 or fewer, during not less than six regular business hours over not less than three business days per week). Immediate access ordinarily must be granted for budgets, bills, vouchers, contracts including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information. Immediate access to these documents is limited to those documents that are less than 24 months old. Copies may be made at fees not to exceed those set by statute. If a request is made and the estimated cost of producing copies exceeds \$5.00, a deposit may be required.

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Anonymous requests for government records are permitted by law. Anonymous requests for personal information will not be fulfilled.

Access shall be granted in the medium or format requested or some other meaningful medium, unless the request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district; or requiring a substantial amount of manipulation or programming of information technology. In these cases, the board may add a special reasonable charge consistent with applicable law. To the extent possible, documents may be made available on the board's website and the custodian may direct a requestor to the website to access the documents but cannot charge a fee for same.

The custodian shall include information on the public agency's website and public records request form regarding a requestor's right to appeal a denial of access.

Records Exempted from Public Access

Records exempted by law include: security and emergency response procedures; purchase, lease or acquisition of real property; pending or anticipated litigation; reports of investigations in progress; matters for which disclosure would impair the right to receive federal funds; pending negotiations toward a collective bargaining agreement; most personnel and pension records of an individual; questions and answer keys (for personnel or academic examinations and job interviews); records concerning individual pupils and staff, their home addresses and telephone numbers (unless waived by the individual); reports and recommendations that involve unwarranted invasion of privacy; medical and psychological records. The records custodian will keep confidential and edit out information in records that disclose social security numbers, credit card information and drivers' license numbers.

Record Retention

Record retention periods in conformance with state and federal codes, regulations, and statutes of limitation may be accessed through the New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS) at <http://www.nj.gov/treasury/revenue/rms/retention.shtml>. The records custodian will ensure that records are retained and appropriately stored in accordance with state and federal statute and regulation.

Implementation

The chief school administrator shall periodically review the work of the records custodian with the school board or a committee thereof, to ensure that necessary steps are being taken to gather, record, disseminate, copy, store and ultimately to destroy school district records in accordance with applicable laws. Particular attention shall be paid to implementing the public's right to access records and to protecting those records from public access specifically exempted by law. If deemed necessary, the board will adopt additional rules, regulations and procedures to implement this policy.

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NJSBA Review/Update:	June 2015
Revised:	November 13, 2024
Readopted:	August 12, 2015, July 13, 2016, December 11, 2024

Key Words

District Records and Reports, Public Access, Records, Reports

**Legal References:** N.J.S.A. 10:4-6 et seq.  
N.J.S.A. 18A:4-14

Open Public Meetings Act  
 Uniform system of bookkeeping for school districts

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<u>N.J.S.A.</u> 18A:7A-11	Reports by local school district, commissioner; interim review
<u>N.J.S.A.</u> 18A:11-2	Power to sue and be sued; reports; census of school children
See particularly: <u>N.J.S.A.</u> 18A:11-2(b)	
<u>N.J.S.A.</u> 18A:17-7	
through -12	Secretary to give notices and keep minutes, etc.
<u>N.J.S.A.</u> 18A:17-28(e)	Duties of business manager
<u>N.J.S.A.</u> 18A:17-35	Records of receipts and payments
<u>N.J.S.A.</u> 18A:17-36	Accounting; monthly and annual reports
<u>N.J.S.A.</u> 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
<u>N.J.S.A.</u> 18A:36-19	Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A.</u> 47:1A-1 <u>et seq.</u>	Examination and copies of public records ( <u>Open Public Records Act</u> )
See particularly: <u>N.J.S.A.</u> 47:1A-1.1, -5	
<u>N.J.S.A.</u> 47:3-15 <u>et seq.</u>	Destruction of Public Records Law
<u>N.J.A.C.</u> 2:36-1.1 <u>et seq.</u>	Child Nutrition Programs
<u>N.J.A.C.</u> 6A:16-5.3	Incident reporting of violence, vandalism and substance abuse
<u>N.J.A.C.</u> 6A:23A-16.1 <u>et seq.</u>	Prescribed system of double-entry bookkeeping and GAAP accounting
<u>N.J.A.C.</u> 6A:27-7.9	Vehicle records
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-7.1 <u>et seq.</u>	Student Records
See particularly: <u>N.J.A.C.</u> 6A:32-7.1(g), -7.8	
<u>N.J.A.C.</u> 15:3-2.1 <u>et seq.</u>	Records Retention
Annual Data Collection Plan, New Jersey State Department of Education	
Records Retention Schedule, New Jersey State Department of Education	
<u>Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed.</u> , 212 N.J. Super. 328 (Law Div. 1986)	
<u>Laufgas v. Barnegat Twp. Bd. of Ed.</u> , 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496	
<u>Horner v. Kingsway Regional</u> , 1990 S.L.D. 752	
<u>Beatty v. Chester Bd of Ed</u> , 1999 S.L.D. (Sept.)	

**Possible****Cross References:**

3543	Office services
3571	Financial reports
*4112.6/4212.6	Personnel records
*5125	Pupil records
*5131.5	Vandalism/violence
*6142.2	English as a second language; bilingual/bicultural
*6171.3	At-risk and Title 1
*6171.4	Special education
*9322	Public and executive sessions

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\*9326

Minutes

\*Indicates policy is included in the Critical Policy Reference Manual