Tarkington ISD
Records Management Plan

TARKINGTON INDEPENDENT SCHOOL DISTRICT
RECORDS MANAGEMENT PLAN

Introduction:

Records associated with Public School Districts are required to comply with the Local Government Records Act of 1989 and administrative rules adopted under it. The Government Code, Section 441.158, provides that the Texas State Library and Archives Commission shall issue records retention schedules for each type of local government, including schools.

Additional information related to the Texas State Library and Archives Commission's schedules and guidelines are available at: https://www.tsl.texas.gov/slrm/localretention/schedule_sd

What is a record?

"Local government record" means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information- recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a district or any of its officers or employees, pursuant to law or in the transaction of public business. (CPC LEGAL)

- The term does not include:
    - Extra identical copies of documents created only for convenience of reference or research by district officers or employees.
    - Notes, journals, diaries, and similar documents created by a district officer or employee for his or her own personal convenience.
    - Blank forms, stocks of publications, and library and museum materials acquired solely for the purposes of reference or display.
    - Copies of documents in any media furnished to the public under the Open Records Act of other state law.
    - Any records, correspondence, notes, memoranda, or documents, other than a final written agreement described by Section 2009.054(c), Government Code, associated with a matter conducted under an alternative dispute resolution procedure in which personnel of a state department or institution, local government, special district, or other political subdivision of the state participated as a party, facilitated as an impartial third party, or facilitated as the administrator of a dispute resolution system or organization.

School records are considered property of Tarkington ISD. No employee has, by virtue of his/her position, any personal right to such records and the unauthorized destruction, removal of files, or

use of such records is prohibited.

What is the difference between a "record" copy and a "convenience" copy?

- The record is the original source document. In today's digital world, there may be many copies of the same record which all appear to be originals.
- The most important of the document copies would be considered the record copy. Convenience copies are the other copies.
- The records retention schedule applies to the record copy, but convenience copies may be part of the overall records management program.
- For our purposes the record copy is defined as the originator of the record if it was created in the district. For external mail documents received, the record copy is the copy received by the original addressee.

RECORDS MANAGEMENT PROCEDURES

Introduction

The following procedures are intended to assist in achieving a successful Records management Program. Federal or state laws and TISO Board policies shall override any information contained in these procedures if a conflict exists.

Record Copy Defined

For our purposes the "record" copy is defined as the originator of the record if it was created in-district. For external mail/documents received, the "record" copy is the copy received by the original addressee.

Campus/Department Responsibilities:

- Identify a records custodian for each campus or central office department. The designated records custodian is to ensure compliance with the TISD's records management plan, to assemble records for transport at year-end, and to facilitate the acquisition of records as requested.
- Ensure that approved retention schedules are followed.
- Identify records by position, title, or offices rather than an individual's name.
- Ensure that a regular, systematic file purging and rotating system is established and followed.
- Assist with the acquisition of records at the campus/department level to comply with a records request.

Changes to Records Retention Schedule and/or Procedures:

- Requests to add, change, or delete a record or record series should be forwarded to the District Records Management Officer.
- Records management procedures are developed to establish a uniform system throughout the District. Requests to change these procedures, including the protocols for cumulative folder contents, should be forwarded to the District Records Management Officer.

Storage and Destruction of Records:

A secure area at Tarkington Middle School has been designated to store TISD records that are not regularly referenced. All permanent records should be maintained in a safe environment and access should be restricted to authorized staff. Campuses and departments shall implement guidelines to restrict unauthorized access to records maintained at their campus and/or department. **Records to be stored at TMS or moved to another campus should be boxed, labeled appropriately, and transported by June 15th.**

TISD has established a retention and destruction schedule according to best practices for records management. TISD uses RCI Tech for storage and destruction of records. *RCI* experts identify, catalog, and sort inactive records by state and local retention schedules to maintain compliance. For additional information regarding records storage and retention, contact the Records Management Officer at TISD Central Administration.

Student Cumulative Folder Contents:

There is no official state requirement of what should be in a single folder for student records keeping. However, the *Student Attendance Accounting handbook* (SAAH), Texas Education Code, and United States Department of Education require specific documentation to be maintained for specific purposes. It is up to the Local Education Agency (school district) to develop policies and procedures for managing these records.

TISD's student records management guidelines promote compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232; 34 CFR Part 99) which includes that only staff members with legitimate educational interest have access to each of the prescribed documents.

Required documentation to be kept in TISD student cumulative records/folders:

- Documentation of Identity and Age (SAAH 3.3.3)
    - Birth Certificate
    - Driver's License/Passport/Hospital Birth Record with signed explanation of why person was unable to produce a certified copy of the Birth Certificate
- Parent's Driver's License, Identification Card or Guardianship and Custody Documents (required if student is under 18, TEC §25.OO1(b)
- Social Security Card or State Alternative Identification verification
- Copy of original Home Language Survey (SAAH 6.11.1)
- Ethnicity Form (SAAH 3.4.4, United States Federal Register (71 FR 44866))
- Legal Documents (if applicable)
- Withdrawal Form/Withdrawal Documentation
- Copy of most recent report card (can be filed electronically; SAAH 3.4.4}
- Proof of residency (required SAAH 3.3.1)

TARKINGTON INDEPENDENT SCHOOL DISTRICT
PUBLIC INFORMATION PROGRAM

Records Request

- A request for public information (open records) is handled in accordance with the Texas Public Information Act, Texas Government Code 552.231.
- All requests should be submitted to the Tarkington ISD Administration. This allows the District to accurately document the date each request is received and respond to the requestor promptly. If the request cannot be produced within ten business days, the District will notify the requestor in writing of the reasonable date and time when it will be available.
- The request must ask for records or information already in existence. The Act does not require the District to create new information, to do legal research, or to answer questions.
- A request may be submitted by mail, fax, and email or in person. The district requires all records requests to be in writing.
- Requests should be made
    - In writing or in person to Tarkington ISO, 2770 FM 163, Cleveland, Texas 77327
    - By email to syoung@tarkinigtonisd.net
    - The District Records Management Officer shall serve and perform the duties of the District's records management officer as prescribed by Local Government Code 203.023 and shall administer the District's records management program pertaining to local government records in compliance with the Local Government Records Act.
- Enough description and detail should be included so that the District can accurately identify and locate the items requested.
- **Charges to the requestor:** A person can ask to view information, get copies of information, or both. If a request is for copies of information, **the District may charge $15 per hour for labor costs associated with processing the request if the number of copies exceeds 50 pages.** Charges for labor may also be assessed for multiple requests totaling more than 36 hours in preparation time per fiscal year. Further explanation of charges is available upon request.
    - You must respond to any written estimate of charges within 10 days of the date the governmental body (school district) sent it or the request is considered automatically withdrawn.
    - You may ask the governmental body to determine whether providing the information primarily benefits the general public, resulting in a waiver or reduction of charges.

- A governmental body can demand payment of overdue balances exceeding $100.00, or obtain a security deposit, before processing additional requests from you.

- The District shall release requested information that is not confidential by law. For items the District chooses to withhold, a ruling will be requested from the Office of the Attorney General.
- The requestor will be sent a copy of that communication. If information requested falls under the Family Educational Rights and Privacy Act (FERPA), federal law supersedes state law, and information may be withheld not requiring an AG opinion if deemed that it violates student privacy information.

Records Request Guidelines

In accordance with GBA(LEGAL) and the Public Information Act, the requester understands that copies of records from the District can be made available for inspection or duplication. The requester will agree to pay the duplication costs at the rate adopted by the Board if the cost does not exceed $40. The requester understands that if the cost will exceed $40 that they will receive an estimate of charges and will have the opportunity to modify or withdraw their request before any copies are made.

The charges in this exhibit to recover costs associated with providing copies of public inform-ation are based on estimated average costs to governmental bodies across the state. When actual costs are 25 percent higher than those used in these rules, governmental bodies other than agencies of the state may request an exemption in accordance with 1 TAC 111.64.

Copy charges are as follows:

1. Standard-paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is $.10 per page or part of a page. Each side that has a printed image is considered a page.
2. Nonstandard-size copy. The charges for nonstandard copies are: oversize paper copy (i.e.: 11” x 17”, greenbar, bluebar) - $.50

The charges are to cover the cost of materials onto which information is copied and do not reflect any additional charges that may be associated with a particular request.

Personnel charges are as follows:

1. If a particular request requires the services of a programmer in order to execute an existing program or to create a new program so that requested information may be accessed and copied, the District may charge for the programmer’s time. The hourly charge for a programmer is $26 an hour, including fringe benefits. Only programming services shall be charged at this hourly rate. Districts that do not have in-house programming capabilities shall

comply with requests in accordance with Government Code 552.231. [See GBA(LEGAL) at PROCEEDING OF REQUESTS]
2. The charge for personnel costs incurred in processing a request for public information is $15 an hour, including fringe benefits. Where applicable, the other personnel charge may include the actual time to locate, compile, and reproduce the requested information.
3. Another personnel charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in two or more separate buildings that are not physically connected with each other or a remote storage facility. For purposes of this provision, two buildings connected by a covered or open sidewalk, an elevated or underground passageway, or a similar facility, are not considered to be separate buildings.
4. Other personnel time should not be recovered for any time spent by an attorney, legal assistant, or any other person who reviews the requested information:
    a. To determine whether the District will raise any exceptions to disclosure of the requested information under Subchapter C of the Public Information Act; or
    b. To research or prepare a request for a ruling by the attorney general's office pursuant to Section 552.301 of the Public Information Act. [See GBA(LEGAL) at ADDITIONAL INFORMATION]
5. When confidential information is mixed with public information on the same page, personnel time may be recovered for time spent to obliterate, blackout, or otherwise obscure confidential information in order to release the public information.

Overhead charges are as follows:

1. Whenever any personnel charge is applicable to a request, the district may include in the charges direct and indirect costs, in addition to the personnel charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the District chooses to recover such costs, a charge shall be made in accordance with the methodology described in item 3 below. Although an exact calculation of costs will vary, the use of a standard charge will avoid complication in calculating such costs and will provide uniformity for charges made statewide.
2. An overhead charge shall not be made for requests for copies of 50 pages or fewer standard paper records.
3. The overhead charge shall be computed at 20 percent of the charge made to cover any personnel costs associated with a particular request. For example, if one hour of personnel (programming, other personnel, or a combination of both) is used for a particular request, the formula would be a follows: $15 x .20 = $3; or $26 x .20 = $5.20; or $41 x .20 = $8.20.

Remote document retrieval charges are as follows:

1. Due to limited on-site capacity of storage of documents, it is frequently necessary to store information that is not in current use in remote storage locations. Every effort should be made by the District to store current records on-site. To the extent that the retrieval of documents results in a charge to comply with a request, it is permissible to recover costs of such services.
2. If the district has a contract with a commercial records storage company, whereby the private company charges a fee to locate, retrieve, deliver, and return to storage the needed record(s), no additional personnel charge shall be factored in for time spent locating documents at the storage location by the private company's personnel. If after delivery to the District, the boxes must still be searched for records that are responsive to the request, a personnel charge is allowed in accordance with #2, under personnel charges, above.

Computer resource charges are as follows:

1. The computer resource charge is a utilization charge for computers based on the amortized cost of acquisition, lease, operation, and maintenance of computer resources, which might include, but is not limited to, some or all of the following: central processing units (CPAs), servers, disk drives, local area networks (LANs), printers, tape drives, other peripheral devices, communications devices, software, and system utilities.

2. These computer resource charges are not intended to substitute for cost recovery methodologies or charges made for purposes other than responding to public information requests.

3. The charges in this section are averages based on a survey of governmental bodies with a broad range of computer capabilities. Each district using this cost recovery charge shall determine which category(ies) or computer system(s) used to fulfill the public information request most closely fits its existing system(s) and set its charge accordingly:

Type of System	Rate
Mainframe	$ 10 per minute
Midsize	$1.50 per minute
Client/Server	$2.20 per hour
PC or LAN	$ 1 per hour

4. The charge made to recover the computer utilization cost is the actual time the computer takes to execute a particular program times the applicable rate. The CPU charge is not meant to apply to programming or printing time; rather, it is solely to recover costs associated with the actual time required by the computer to execute a program. This time, called CPU time, can be read directly from the CPU clock, and most frequently will be a matter of seconds. If programming is required to comply with a particular request, the appropriate charge that may be recovered for programming time is described above, at Personnel Charges. No charge should be made for computer print-out time. For example, if a main-frame computer is used, and the processing time is 20 seconds, the charges would be as follows: $10/3 = $3.33; or $10/60 x 20 = $3.33.

A District that does not have in-house computer capabilities shall comply with requests in accordance with Government Code Section 552.231. [See GBA(LEGAL) at PROCESSING OF REQUESTS]

The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information may be added to the total charge for public information. Governmental bodies may add any related postal or shipping expenses that are necessary to transmit the reproduced information to the requesting party. Sales tax shall not be added on charges for public information.

Request for Records Application

TARKINGTON I.S.D.

PUBLIC INFORMATION PROGRAM:
ACCESS TO PUBLIC INFORMATION

REQUEST FOR RECORDS

For guidance regarding your rights as a requestor and the public information procedures adopted by this governmental body, you may review the governmental body's notice required under section 552.205 of the Government Code. You can find additional Public Information Act resources on the Office of the Attorney General's website at http://www.texasattorneygeneral.gov/open-government.

In accordance with GBA(LEGAL) and the Public Information Act, I hereby request that copies of the following records of the District be made available for my inspection or duplication. I agree to pay the duplication costs at the rate adopted by the Board if the cost does not exceed $40. I understand that if the cost will exceed $40, I will receive an estimate of charges and will have the opportunity to modify or withdraw my request before any copies are made.

Company
First and Last Name
Address (including City and Zip Code)
Phone Number

Public Information Requested (Include description adequate to clarify request):

How would you like the information provided?
Please check the appropriate box.

- ☐ EMail (Electronic Copy)
- ☐ Inspection Only
- ☐ Printed Copies