MERCHANTVILLE BOARD OF EDUCATION
130 South Centre Street
Merchantville, New Jersey 08109

File Code: 3570
Proposed: 08/23/88
Adopted: 09/27/88
Revised: 07/26/2016
Reviewed: 04/08/2024

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.

The district plans to preserve these records by (1) appointing the business administrator as records custodian, (2) periodically reviewing records retention with the chief school administrator and the school board or a committee thereof, and (3) retaining records according to the schedule for educational institutions promulgated by NJDARM (NJ Division of Archives & Records Management). A partial schedule, for key classes of records, is shown at the end of this policy.

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. 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.

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, contracts and collective negotiations agreements. Copies may be made at fees not to exceed those set by statute. Anonymous requests for government records are permitted by law. If an anonymous request is made and the estimated cost of producing copies exceeds $5.00, a deposit may be required. Anonymous requests for personal information will not be fulfilled.

Access shall be granted in the medium 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. The custodian shall ensure that statements are prominently posted in district offices that describe the specific terms of the public's right to appeal a denial of access and procedures for filing an appeal.

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. A partial schedule of retention periods for pertinent school record categories is listed below (Note: the School District Records Retention and Disposition Schedule should be consulted before any record is destroyed).

Partial Record Retention Schedule

1. *Financial records*: 7 (seven) years
2. *Agendas and minutes*: Permanent for originals; 1 year for copies
3. *Resolutions of the school board:* Permanent
4. *Administrative policy and advisory statements*: Permanent
5. *Correspondence, including emails:* 3 (three) years for general external correspondence; one year for internal correspondence
6. *Official public meeting notice:* 3 (three) years
7. *Legal notice in newspaper:* 7 (seven) years
8. *Publisher's affidavits*: 10 (ten) years
9. *Tape recordings of school board meetings (audio tape and video):* 45 (forty-five) days or until summary or verbatim transcripts have been approved as minutes
10. *Election file:* 5 (five) years for bonding election report, certificate and voting authority
11. *Other election materials:* 1 (one) year
12. *Master publications file of school newsletters, yearbooks, student handbooks, etc.:* Permanent
13. *School monitoring file (with school monitoring annual plan):* Permanent
14. *Internal monitoring guide and action plan:* 14 (fourteen) years
15. *Academic master plan (updated every seven years):* Permanent
16. *Support file for the academic master plan, including school evaluations:* 10 (ten) years.
17. *Fall and statistical report file:* 5 (five) years
18. *Settlements (original):* Permanent
19. *Agency copy of routine settlements:* 3 (three) years after final settlement

School District Retention Schedule: Active Records – Administration, can be found at RMS School District Records Retention and Disposition Schedule reference number M7000101-001. For all other items the district will consult RMS Individual Educational Records Series Description and Series Number for retention and disposal information.

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 from public access those records specifically exempted by law. If deemed necessary, the board will adopt additional rules, regulations and procedures to implement this policy.

Key Words

District Records and Reports, Public Access, Records, Reports

Legal References:

N.J.S.A. 10:4-6 et seq.	Open Public Meetings Act
N.J.S.A. 18A:4-14	Uniform system of bookkeeping for school districts
N.J.S.A. 18A:7A-11	Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
N.J.S.A. 18A:11-2	Power to sue and be sued; reports; census of school children
See particularly: N.J.S.A. 18A:11-2b	
N.J.S.A. 18A:17-7 through -12	Secretary to give notices and keep minutes, etc.
N.J.S.A. 18A:17-28(e)	Duties of business manager
N.J.S.A. 18A:17-35	Records of receipts and payments
N.J.S.A. 18A:17-36	Accounting; monthly and annual reports
N.J.S.A. 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
N.J.S.A. 18A:36-19	Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
N.J.S.A. 47:1A-1 et seq.	Examination and copies of public records ("Open Public Records Act")
See particularly: N.J.S.A. 47:1A-1.1, -5	
N.J.S.A. 47:3-15 et seq.	Destruction of Public Records Law
N.J.A.C. 2:36-1.1 et seq.	Child Nutrition Programs
N.J.A.C. 6A:16-5.3	Incident reporting of violence, vandalism and substance abuse
N.J.A.C. 6A:23-2.1 et seq.	Double Entry Bookkeeping and GAAP Accounting in Local School Districts
N.J.A.C. 6A:27-7.9	Vehicle records
N.J.A.C. 6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
N.J.A.C. 6A: 32-7.1 et. seq.	Student Records
See particularly: N.J.A.C. 6A:32-7.1(g), -7.8	
N.J.A.C. 6A:32-12.1	Reporting requirements
N.J.A.C. 6A:32-12.2	School level planning
N.J.A.C. 15:3-2.1 et. seq.	Records Retention

Annual Data Collection Plan, New Jersey State Department of Education

New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS), School District Records Retention and Disposition Schedule

Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496

Horner v. Kingsway Regional, 1990 S.L.D. 752

Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)

Manual for the Evaluation of Local School Districts

Possible
Cross References:

3543	Office services
3571	Financial reports
*4112.6	Personnel records
*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
*9326	Minutes

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

NJSBA Date: 04/07