RSU63

a.	**NEPN/NSBA Code:**	**KDB**
b.	**Title:**	**Public's Right to Know (FOAA)**
c.	**Author:**	**Superintendent**
d.	**Replace Policy:**	**Board Accepted 10/26/2026**
e.	**Date Approved:**	**12/20/2021 RSU63**
f.	**Previously Approved:**	**01/22/2018**
g.	**Policy Expiration:**	**Review as Needed**
h.	**Responsible for Review:**	**Superintendent/Board Chair/Policy Committee**
i.	**Date Reviewed:**	**11/22/2021 Superintendent** **11/30/2021 Policy Committee**
j.	**References:**	**20-A MRSA 1256 (5); 1252 (2)** **1 M.R.S.A § 401** **Policy BEC-Executive Sessions** **Policy JRA-Student Educational Records**
k.	**Narrative:**	**Accepted by Policy Committee 10/13/2016**

PUBLIC'S RIGHT TO KNOW/FREEDOM OF ACCESS

The Board recognizes the importance of a well-informed public to the operations of the school unit. The Board will comply with all applicable sections of Maine's Freedom of Access Act.

The Board designates the Superintendent, and to act in the absence of the Superintendent, as the Public Access Officer for **RSU63.** The Public Access Officer is responsible for ensuring compliance in regard to Freedom of Access requests (see 1MRSA § 413(1**)).**

The Superintendent, [If the district has one, add: Assistant Superintendent] and any other person(s) designated as a public access officer shall complete the mandated training on the requirements of Maine's Freedom of Access Act.

Except as otherwise provided by statute, all Board proceedings shall be open to the public, any person shall be permitted to attend, and any records or minutes of such proceedings that are required by law shall be made promptly and shall be open to public inspection.

Board agendas and minutes, proposed and approved Board policies, annual budget reports, student handbooks and Board member Freedom of Access training documentation/certificates shall be available for immediate inspection and/or copying in

the Superintendent's Office. Requests for all other public records shall be made, preferably in writing, to the Superintendent, specifying the records desired for

inspection/copying. The Superintendent/designee may request clarification concerning which public record or records are being requested.

The Superintendent/designee shall acknowledge receipt of a request for inspection and/or copying of public records within five working days of the request.

If the request is denied, the Superintendent/designee shall inform the requestor in writing within five working days of the request and shall state the reason for denial. Otherwise, inspection and/or copying may be scheduled to occur within a reasonable period of time following the request at a time that will not delay or inconvenience the regular activities of the school unit.

The school unit is not required to create a record that does not exist.

ELECTRONICALLY STORED PUBLIC RECORDS

In compliance with the Freedom of Access Act, the school unit will provide access to an electronically stored public record as a printed document or in the medium in which the record is stored, at the requester's option, except that the school unit is not required to provide access to an electronically stored public record as a computer file if the school unit does not have the ability to separate or prevent the disclosure of confidential information contained in or associated with that file. The school unit is not required to provide access to a computer terminal.

FEES

Except as otherwise provided by law or court order, **RSU63** may charge fees as follows:

A. A fee of 10 cents per page to cover the cost of copying.

B. A fee of $25 per hour after the first two hours of staff time per request to cover the actual cost of searching for, retrieving, and compiling the requested public record. Compiling the public record includes reviewing and redacting confidential information

C. The actual cost to convert a public record into a form susceptible to visual or aural comprehension into a usable format and for the actual cost of a device used to store the public record if the storage will be given to the requestor by the school unit.

D. No fee will be charged for inspection of public records unless the record cannot be inspected without being compiled or converted, in which case paragraph B or C applies

E. As required by law, the school unit will provide the person making the request with an estimate of the time frame within which the school unit will

complete the request and of the total cost. If the estimated total cost exceeds $50.00, the school unit will inform the requestor before proceeding. If the estimated total cost is greater than $100.00 or if the requestor has previously failed to pay a fee assessed for access to **RSU63** records, the requestor may be required to pay all or a portion of the estimated cost prior to the search, retrieval, compiling, conversion and copying of the public record.

The Superintendent is directed to develop and implement such administrative procedures as may be necessary to carry out this policy.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BEC – Executive Sessions
GBJ – Personnel Records and Files
JRA – Student Educational Records