

OPEN RECORDS

The board of education adopts this policy in connection with the Oklahoma Open Records Act (the "Act").

District's Philosophy

The school district, as a tax supported institution, recognizes that the public has a right to be fully informed concerning its operations. The school district strongly believes that informed citizens are vital to the successful functioning of the democratic government process which this school district desires to exemplify to its students.

In order to achieve these goals, the board of education hereby states that all records of the school district, except those records designated as confidential in this policy, or, otherwise, as required by federal or state law, shall be open to any person for inspection, copying and/or mechanical reproduction during regular business hours. All persons requesting the right to inspect non-confidential records of the school district shall be accorded prompt access to those records.

Confidential Records Not Available for Inspection

As permitted by the Act, the school district hereby designates the following records as confidential and not open for public inspection:

1. Records which can be kept confidential under federal or state law.
2. Personnel records which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation.
3. Personnel records where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, and employment applications submitted by persons not hired, and transcripts from institutions of higher education.
4. Bid specifications for competitive bidding prior to publication; contents of sealed bids prior to bid opening; computer programs or software (but not the data thereon); and appraisals relating to the sale or acquisition of real estate prior to the award of a contract – if disclosure would give an unfair advantage to competitors or bidders.
5. Personal communications received from a person exercising rights secured by the Oklahoma or United States Constitution, except for the fact that a communication has been received and that it is or is not a complaint. Any response to such personal communications shall be confidential only to the extent necessary to protect the identity of the person exercising the right.
6. Individual student records, except for: (a) statistical information not identified with a particular student if such information is maintained in a composite form and (b) directory information as defined in the Act, if, pursuant to the Family Educational Rights and Privacy Act that information (i) has been designated by the school district as directory information and (ii) parents have been notified of and have not exercised their non-release rights.

7. Instructor lesson plans, tests and other teaching materials.
8. Personal communications concerning individual students.
9. Personal notes and personally created materials, when made prior to taking action, making a recommendation or issuing a report. Confidentiality does not extend to departmental budget requests prepared as an aid to memory or research leading to the adoption of a public policy or the implementation of a public project.
10. The home address of any person employed or formerly employed by the school district.
11. The home telephone number of any person employed or formerly employed by the school district, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Records Custodian

The board of education hereby designates the Board Deputy Clerk as the person authorized to release non-confidential public records for inspection, copying or mechanical reproduction.

Under Oklahoma law, the board clerk (and deputy clerk) is the custodian of the district’s copy of required school board election and financial related filings.

Copies of these documents, filings, and open records requests in general can be obtained by making a request through the Board’s Deputy Clerk at 918-366-2200 or 109 N. Armstrong, Bixby, OK 74008.

Fees for Records and for Search for Records

The following fees shall be charged for records reproduction and any compensable search for records:

Paper Production:

8 ½” x 11”	\$.25 per copy
8 ½” x 14”	\$.25 per copy
11” x 17”	\$.50 per copy

Electronic Production:

Document conversion, if available (TIFF or PDF) \$.25 per page

In addition to the costs noted above, when a request for public records would clearly cause excessive disruption of the district’s essential functions or is solely for commercial purpose the district will charge a reasonable search fee equaling the actual hourly cost to the district. The requestor will be charged this hourly rate for all search time, review time, and, if necessary, time spent redacting records prior to production.

The district does not consider publication in a newspaper or broadcast by news media as resale or use of data for trade or commercial purpose. However, the district shall charge the news media and others the direct cost of copying electronic data.

A search fee shall not be charged when the release of documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine

whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

Costs associated with reproduction of public records shall be paid by, or on behalf of the requestor, at the time documents requested are to be picked up. In the event of a large records request or a request that involves an outside cost to the district, the district may request a deposit, to be set by the records custodian, to be made at the time of the request.

Request for Records

Requests for public records shall be made to the attention of the superintendent or the Board's Deputy Clerk, the District's records custodian. The request shall identify with specificity the record or records sought. Where the request for records is unclear or confusing, the records custodian may request that the requestor provide a more precise explanation or description of the records requested. The district shall produce records requested promptly, taking into consideration the accessibility of the record, the number and type of records requested, and the press of school district business.

An individual requesting public records, pursuant to the Oklahoma Open Records Act, is requested to use the district's request form to expedite the processing of the open records request.

Appeal of Denial of Records

If inspection of documents designated as confidential is denied, the person requesting access to such documents shall have a right to appeal the denial to the superintendent of schools.

Adoption Date: November 13, 2000; Revision Date: September 13, 2004, April 10, 2017

**OPEN RECORDS ACT SCHEDULE OF FEES
FOR BIXBY PUBLIC SCHOOLS**

Black & white copy (not exceeding 8.5 x 14" in size)	<i>.25 per page</i>
Color copy (not exceeding 8.5 x 14" in size)	<i>Actual cost</i>
Certified copy	<i>\$1.00 per page</i>
Oversized copy (exceeding 8.5 x 14")	<i>Actual cost</i>
Video tape or DVD copy ²	<i>\$10.00 per tape</i>
Audio tape or CD copy ³	<i>\$10.00 per tape</i>
Mailing fee (if mail delivery is requested)	<i>Actual cost</i>
Research fee (for research, review, and redacting which exceeds 15 minutes)	<i>Actual cost</i>
Electronic data conversion (TIFF or PDF)	<i>\$.25 per page</i>

² For each video tape or DVD copy requested, requestor must supply a new, blank standard VHS tape or DVD.

³ For each audio tape copy requested, requestor must supply a new, blank standard audio cassette tape(s) or CD. No mini-audio cassette tapes will be accepted.