

NEW SHOREHAM SCHOOL COMMITTEE
BLOCK ISLAND SCHOOL

Except for those records deemed not to be public according to [RI General Laws § 38-2-2 \(Definitions\)](#), which are outlined below, all records maintained or kept on file by the New Shoreham School Department are considered public and every person shall have the right to inspect and/or copy the records during reasonable office hours.

The following records are not deemed public; however, any reasonably segregable portion excluded by this section shall be available for public inspections after the deletion of the information which is the basis of the exclusion, if disclosure of the segregable portion does not violate the intent of this section:

A. Individual records as below:

1. All records which are identifiable to an individual applicant for benefits, clients, patient, student, or employee; including, but not limited to, personnel, medical treatment, welfare, employment security, pupil records, all records relating to a client/attorney relationship and to a doctor/patient relationship, and all personal or medical information relating to an individual in any files, including information relating to medical or psychological facts, personal finances, welfare, employment security, student performance, or information in personnel files maintained to hire, evaluate, promote, or discipline any employee of the New Shoreham School Department; provided, however, with respect to employees, the name, gross salary, salary range, total cost of paid fringe benefits, gross amount received in overtime, and other remuneration in addition to salary, job title, job description, dates of employment and positions held with the state or municipality, work location, business telephone number, the city or town of residence, and date of termination shall be public.
2. Notwithstanding the provisions of this section, or any other provision of the general laws to the contrary, the pension records of all persons who are either current or retired members of the retirement systems established by the general laws as well as all persons who become members of that retirement systems after June 17, 1991, shall be open for public inspection. "Pension records" as used in this section shall include all records containing information concerning pension and retirement benefits of current and retired members of the retirement systems established in title 8, title 36, title 42, and title 45 and future members of said systems, including all records concerning retirement credits purchased and the ability of any member of the retirement system to purchase retirement credits, but excluding all information regarding the medical condition of any person and all information identifying the member's designated beneficiary or beneficiaries.

- B. Trade secrets and commercial or financial information obtained from a person, firm, or corporation which is of a privileged or confidential nature.
- C. Child custody and adoption records, records of illegitimate births, and records of juvenile proceedings before the family court.

- D. All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information (a) could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (d) could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority, or any private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual. Records relating to management and direction of a law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult shall be public.
- E. Any records which would not be available by law or rule of court to an opposing party in litigation.
- F. Scientific and technological secrets and the security plans of military and law enforcement agencies, the disclosure of which would endanger the public welfare and security.
- G. Any records which disclose the identity of the contributor of a bona fide and lawful charitable contribution to the New Shoreham School Department whenever public anonymity has been requested of the New Shoreham School Department with respect to the contribution by the contributor.
- H. Reports and statements of strategy or negotiation involving labor negotiations or collective bargaining.
- I. Reports and statements of strategy or negotiation with respect to the investment or borrowing of public funds, until such time as those transactions are entered into.
- J. Any minutes of a meeting of the New Shoreham School Department which are not required to be disclosed pursuant to chapter 46 of title 42.
- K. Preliminary drafts, notes, impressions, memoranda, working papers, and work products, provided, however, any documents submitted at a public meeting of the New Shoreham School Department shall be deemed public.
- L. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment or promotion, or academic examinations; provided, however, that a person shall have the right to review the

results of his or her examination.

- M. Correspondence of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities.
- N. The contents of real estate appraisals, engineering, or feasibility estimates and evaluations made for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned; provided the law of eminent domain shall not be affected by this provision.
- O. All tax returns.
- P. All investigatory records, with the exception of law enforcement agencies, pertaining to possible violations of statute, rule, or regulation other than records of final actions taken provided that all records prior to formal notification of violations or noncompliance shall not be deemed to be public.
- Q. Records of individual test scores on professional certification and licensing examinations; provided, however, that a person shall have the right to review the results of his or her examination.
- R. Requests for advisory opinions until such time as the New Shoreham School Department issues its opinion.
- S. Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state law or rule court.
- T. Judicial bodies are included in the definition only in respect to their administrative function provided that records kept pursuant to the provisions of chapter 16 of title 8 are exempt from the operation of this chapter.
- U. Library records which by themselves or when examined with other public records, would reveal the identity of the library user requesting, checking out, or using any library materials.
- V. Printouts from telecommunication devices for the deaf or hearing and speech impaired.
- W. All records received by the insurance division of the department of business regulation from other states, either directly or through the National Association of Insurance Commissioners, if those records are accorded confidential treatment in that state. Nothing contained in this title or any other provision of law shall prevent or be construed as prohibiting the commissioner of insurance from disclosing otherwise confidential information to the insurance department of this or any other state or country, at any time, so long as the agency or office receiving the records agrees in writing to hold it confidential in a manner consistent with the laws of this state.

Required Procedures for Public Access: Except as provided in [RI General Laws § 38-](#)

[2-2\(4\) \(Definitions: "Public record" or "public records"\)](#), all records maintained or kept on file by the New Shoreham School Department, whether or not those records are required by any law or by any rule or regulation, shall be public records and every person or entity shall have the right to inspect and/or copy those records at such reasonable time as may be determined by the custodian thereof.

- a) All responses to public records requests shall be made within ten (10) days of receipt. Upon notice to requester, up to twenty (20) days additional time may be taken based on the volume of the request and burden of response.
- b) The Superintendent is authorized to respond to requests under this policy, however, in the absence of the superintendent, any administrator, if able, may respond to requests regarding public records under their control in order to expedite public access.
- c) This policy shall serve as procedural guidance for implementation.
- d) Given the part-time employment of key personnel, a request shall be deemed received when it is in the possession of or has been read by an authorized responder.
- e) The New Shoreham School Department shall make, keep, and maintain written or recorded minutes of all meetings.
- f) The New Shoreham School Department shall not require written requests for public information available pursuant to [RI General Laws § 42-35-2 \(Public Information – Adoption of Rules – Availability of Rules and Orders\)](#) or for other documents prepared for or readily available to the public.
- g) If a public record is in active use or in storage and, therefore, not available at the time a person requests access, the custodian shall so inform the person and make an appointment for the citizen to examine such records as expeditiously as they may be made available.
- h) Any person or entity requesting copies of public records may elect to obtain them in any and all media in which the public agency is capable of providing them. Any records in a computer storage system shall be properly identified in a printout or other reasonable format, as requested.
- i) Nothing in this section shall be construed as requiring the New Shoreham School Department to reorganize, consolidate, or compile data it does not maintain in the form requested at the time the request to inspect the public records was made except to the extent that such records are in an electronic format and the New Shoreham School Department would not be unduly burdened in providing such data.
- j) Nothing in this section is intended to affect the public record status of information merely because it is stored in a computer.
- k) No public records shall be withheld based on the purpose for which the records are sought.

Costs

- a) Subject to the provisions of [RI General Laws § 38-2-3 \(Right to Inspect and Copy Records – Duty to Maintain Minutes of Meetings – Procedures for Access\)](#), New Shoreham School Department must allow copies to be made or provide copies of public records. The cost per copied page of written public documents shall not exceed fifteen cents (\$.15) per page for documents copyable on common business or legal size paper. New Shoreham School Department may not charge more than the reasonable actual cost for providing electronic records.
- b) A reasonable charge may be made for the search or retrieval of documents. Hourly costs for a search and retrieval shall not exceed fifteen dollars (\$15.00) per hour and no costs shall be charged for the first hour of a search or retrieval.
- c) Copies of documents shall be provided and the search and retrieval of documents accomplished within a reasonable time after a request. New Shoreham School Department shall provide an estimate of the costs of a request for documents prior to providing copies.
- d) Upon request, the New Shoreham School Department shall provide a detailed itemization of the costs charged for search and retrieval.
- e) The administration may waive costs provided they are minimal.
- f) A court may reduce or waive the fees for costs charged for search or retrieval if it determines that the information requested is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

Policy Adopted: July 28, 2014

New Shoreham School District, Block Island School