

PUBLIC RECORDS POLICY (FOIA INFORMATION)

1.0 PURPOSE:

The Wirt County Board of Education recognizes its responsibility to maintain the public records of this County and to ensure that such records are available for inspection and reproduction. The Board will utilize the following procedures regarding the availability of public records.

2.0 DEFINITION:

- 2.1 "Public Record" includes any writing containing information relating to the conduct of the public's business, prepared, owned and retained by a public body.
- 2.2 "Writing" includes any books, papers, maps, photographs, cards, tapes, recordings or other documentary materials regardless of physical form or characters.
- 2.3 "Public Records" do not include internal memoranda or letters received or prepared by the Board or its employees, medical records, documents containing genetic information, trial preparation records, confidential law enforcement investigatory records, student records, personnel records and any other exceptions set forth in WV Code 29B-1-4.

3.0 RESPONSIBILITY:

- 3.1 Any person may inspect and copy by hand the public records of this school system during the regular business hours of the office in which such records are maintained, provided that an advance written request to review and/or copy such records is made to the custodian of the records and the custodian has set a date and time for such review. The Superintendent is authorized to grant or refuse access to the records of the County in accordance with the law and the intent of this policy.

4.0 DIRECT LINKS BETWEEN THE BOARD AND COMMUNITY AT LARGE:

- 4.1 A person requesting to make copies of public records that have been provided for inspection under the Freedom of Information Act may use the Board's copying equipment for this limited purpose. Copy charges must be paid in full before the copies will be released. The charge for copies shall be ~~50~~ .05/5 cents per page or the amount posted in the central office, whichever is higher.
- 4.2 A person may request that she or he be provided with copies of requested records by U.S. mail. Such person must pay for the copies and the postage necessary to mail these records before they will be provided by U.S. mail. The charge for copies shall be 50 cents per page or the amount posted in the central office, whichever is higher.

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4.3 If the records requested exist in magnetic, electronic or computer form, the custodian of the records shall make such copies available on magnetic or electronic media, if requested to do so.

4.4 If the Board's copying equipment is needed for official school business, such copying shall always take priority over making copies for non-school business.

5.0 SEVERABILITY:

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy. Where questions arise on these regulations, the superintendent of schools is authorized to render decisions on matters.

REVIEW SCHEDULE:

This policy will be reviewed in accordance with the policy review schedule published by the Superintendent.

Authority: WV Code §18-5-14 (July 1 Implementation)
Supreme Court of West Virginia; No. 13-0603

Replaces: Wirt BOE Policy BDA-R January 11, 1999; Policy ABB-R November 9, 1998