

**OPEN RECORDS ACT
ENFORCEMENT GUIDELINES
REGULATION**

All records of Amber-Pocasset Public Schools shall be open for inspection, copying and/or mechanical reproduction during regular business hours under the following conditions with stated exceptions.

Records Covered

Records covered by these regulations include, but are not limited to any book, paper, photograph, microfilm, computer tape, disk, record, sound recording, film recording, video record or other material regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control or possession of members of the board of education and school district employees.

Maintenance of Records

1. Amber-Pocasset School District has a specific duty to keep and maintain records of the receipt and expenditure of any public funds. Oklahoma School Law permits the destruction of financial records after they have been maintained by the school district for five years.
2. Records shall be kept open for inspection, copying and/or mechanical reproduction during regular business hours, sizes 8 ½ x 11 or 8 ½ x 14 only.
3. "Prompt" reasonable access shall be provided to district records. Only authorized school employees shall have the right or responsibility of retrieving information from school files and/or storage. Individuals requesting access to records shall complete a form specifying the exact information desired. Such form shall contain a schedule of fees for copying documents and conducting a search of records. After the requested records are retrieved, the individual requesting to review material shall then specify in writing any documents that he/she desires to have copies. At that time, a total cost of search and copying shall be established by the authorized school employee. Payment shall be made prior to receiving the material requested. All payments shall be receipted according to board policy.
4. Only the principal in each school shall have the authority to release that school's records for inspection, copying or reproduction. No original school records shall be removed from any building by any individual other than the authorized school employee. If the principal cannot determine if a record is eligible for release, to be removed, or copied, the superintendent shall make the final decision on its eligibility. Only the superintendent shall be authorized to release records for that office.
5. Authorized individuals shall be available in each of the schools, elementary and high school, from 8:30 a.m. until 3:15 p.m. on days school is in session. Authorized individuals shall be available in the superintendent's office from 8:30 a.m. to 4:00 p.m. on regular work days. No offices shall be responsible for providing access to records during the lunch period for that school or office.
6. Because all principals may teach, "promptness" in providing records shall mean anytime within the 24 hour period following the written request for records. "Promptness" shall be defined as a 24 hour period for records normally accessed through the superintendent's office. In most cases, records which are "current" or in the active file will be available immediately upon written request. Documents that must be retrieved from outside storage may require up to 48 hours or more to be made available.

Exempt Records from Release

1. Confidential personnel records which
 - a. Relate to internal personnel investigation, including examination and selection of material for employment hiring, appointment, promotion, demotion, discipline or resignation, or

OPEN RECORDS ACT ENFORCEMENT GUIDELINES, REGULATION (Cont.)

- b. Would, if disclosed to the public, be clearly unwarranted invasion of personal privacy such as employee evaluation, payroll deductions, and employment applications submitted by persons not hired by the district.
- 2. However, all personnel records not specifically falling within the above noted confidential records exclusion, shall be open to the public including an employment application of a person who becomes a school employee.
- 3. Bidding documents are barred from public inspection when disclosure would give an unfair advantage to competitors. Closed documents are:
 - a. Bid specifications prior to publication;
 - b. Contents of sealed bids prior to being opened;
 - c. Computer software or programs, but not data thereon; and
 - d. Appraisals relating to the sale or acquisition of real property by the school district prior to the award of the contract.
- 4. Records which come to the school which have been generated or gathered as a result of federal legislation shall be kept confidential to the extent required by federal law.
- 5. Complaints or personal communications received from a person exercising constitutional rights, the right to petition the government, except the fact that a communication was received and whether it was or was not a complaint must be disclosed. Any written response to this personal communication may be kept confidential only to the extent necessary to protect the identity of the person making the communication to the school official.
- 6. Student-related materials:
 - a. Individual student records
 - b. Teacher lesson plans, tests and other teaching materials.
 - c. Personal communications concerning individual students.
 - d. Preliminary non-budgetary material will not be made public. Notes, drafts, preliminary computations and materials other than budget requests are prepared to aid memory or research leading to the adoption of a public policy or implementation of a public project.

Note: Statistical information not identifying particular students and “directory information” will be opened for inspection. Directory information must first be approved under the procedures governing student records. See Section 600, Directory Information policy.

Records to Which This Regulation Does NOT Apply

- 1. Executive session materials or records of what transpired during an executive session.
- 2. Attorney-client privileged materials concerning the attorney-client relationship and the identity of anyone informing the district of alleged school or employee wrong doing are not to be maintained and provided for public review.
- 3. Litigation or trial records are not subject to “discovery” under state law.

Documents Partially Exempt and Partially Non-Exempt

Any reasonably segregable portion of a record containing exempt material shall be provided after deletion of the exempt portions.