PELHAM SCHOOL DISTRICT POLICY
EH – PUBLIC ACCESS TO SCHOOL DISTRICT RECORDS

Category: Recommended

The Superintendent is hereby designated the custodian of all "District records," which term shall have the same meaning as "governmental records" as that term is defined in the state's Right to Know Law, RSA 91-A:1-a. Without limiting that meaning, District records shall include Board and Board committee minutes, documents, writings, letters, memoranda, e-mails, images, or other information of any kind kept or maintained by the District in any physical form (written, visual, electronic, digital, etc.).

The Superintendent shall develop written procedures concerning all requests by the public to inspect or obtain copies of school district records (i.e., "governmental records"). The procedures shall conform in all respects to the Right to Know Law. The written procedures should contain provisions clearly indicating personnel responsible for processing any request for District records, as well as the cost for providing requested copies. No fee or expense shall be charged other than as allowed under RSA 91-A:4.

The Superintendent shall review such procedures annually and make such changes as are required as a result of legislative changes to the Right to Know or other applicable law or regulations, or as deemed appropriate. Any changes to the written procedures should be provided to all appropriate personnel and to the School Board.

All District records shall be retained, deleted, or destroyed in accordance with Policy EHB and Administrative Procedures EHB-R. Minutes of School Board meetings, and materials used to prepare the same, shall also be made available in accordance with Policy BEDG.

The Superintendent is authorized to contact the District's attorney for any matter related to requests for public records and/or the development of the written procedures required under this policy.

These procedures will apply to all requests to inspect or obtain copies of "District records", as defined in Policy EH.

1. Responsibilities: All requests for access to or copies of District records should be made through the Superintendent's Office at the SAU. Any board member or staff member who receives a request from a member of the public to see, receive or otherwise inspect any District record(s) ("Right to Know request") should immediately communicate that request to the Superintendent.

2. Written Requests Encouraged: Members of the public are encouraged to make their requests in writing and to include a specific description of the desired record(s). Right to Know requests for District records will not be denied if such request is not in writing. If the person making the request refuses to put the request in writing, the staff member receiving the request shall put the request in writing and shall provide the person with a copy. Individuals making Right-to-Know requests are encouraged to discuss their requests with the school administration to ensure the request is stated in a manner that will focus on the records desired and avoid being unnecessarily overbroad.

3. Clarifications, Refinement and Modification of Requests: Carefully tailored requests often can be fulfilled more promptly and help avoid resources being expended to retrieve and prepare material which exceeds what is actually being sought. The Superintendent or

designee may contact the person making the request if the request is unclear or will be time consuming or onerous to fulfill to determine if the person will clarify the request or agree to narrow the request. Any clarification or narrowing of the request shall be documented in writing and a copy of the re-formed request provided to the person making the request.

4. Record Availability: Records requested under the Right-to-Know law which are not exempt under RSA 91-A:5 (or otherwise) will be made available immediately when such records are available for such release. If such records are not immediately available, if a determination needs to be made if such records exist, or if a determination needs to be made whether such records are exempt from public disclosure, the Superintendent will, within five (5) business days of the request, respond to the requestor, in writing, acknowledging receipt of the request and providing a statement of the time reasonably necessary to determine whether the request shall be granted or denied. Records will be reviewed in their entirety by either the Superintendent or his/her designee before they are released in order to ensure that no confidential or exempted information is disclosed. District legal counsel may be consulted as necessary.

5. Exempt Information and Redaction: Information exempted from disclosure by RSA 91-A:5 or other law will not be disclosed. If a member of the public requests records that are determined to be exempt from disclosure under RSA 91-A:5 or other law, the Superintendent will respond to the requestor, in writing, including a statement of the specific exemption authorizing the withholding, and a brief explanation of how the exemption applies to the record(s) withheld.

6. No Fee for Inspection: No cost or fee shall be charged for the inspection, without copying of records, whether in paper, electronic, or other form. The School District will charge a fee of $0.10 per page for copying/photocopies of records when the person requests a paper copy. No cost or fee shall be charged for the delivery of the copies. Electronic copies of the records may be provided when feasible for the school district to produce, copy, and deliver.

All District records shall be retained, deleted or destroyed in accordance with Board policy EHB and administrative procedure EHB-R Minutes of school board meetings shall also be made available in accordance with Board policy BEDG.