

11200 PUBLIC INFORMATION

11201 Public's Right to Know/Freedom of Information

Purpose

The Board recognizes the importance of public records as the record of the District's actions and the repository of information about this District. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board policy and administrative regulations. In accordance with this purpose, the Board shall make the District's public records available for access and duplication to the public, in accordance with law, Board policy and administrative regulations.

Definitions

Financial record - any account, voucher or contract dealing with the receipt or disbursement of funds or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual's name and title; and a financial audit report, excluding the audit's underlying work papers.

Public record - a record, including a financial record, that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania's Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.

Record - information, regardless of physical form or characteristics, that documents a district transaction or activity and is created, received or retained pursuant to law or in connection with a district transaction, business or activity, including: a document; paper; letter; map; book; tape; photograph; film or sound recording; information stored or maintained electronically; and a data-processed or image-processed document.

Requester - A person that is a legal resident of the United States and requests a record pursuant to the Right-to-Know law. The term includes an agency.

Open Records Officer

The Board designates the Board Secretary as the Open Records Officer with responsibilities including, but not limited to:

1. Receiving and processing written requests for access to records in accordance with law, Board policy and any relevant administrative regulations.
2. Directing requests to other appropriate individuals in the District or in another agency.
3. Tracking the District's progress in responding to requests.
4. Issuing interim and final responses to submitted requests in accordance with the law, Board Policy, and any relevant administrative regulation.

Request for Access

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Open Records Officer/Board Secretary at the Warren County School District, 6820 Market Street, Russell, PA 16345-3406. In order for a citizen to be afforded the protections under the Right to Know Law, a request must be in writing and addressed to the Open Records Officer.

Written requests may be submitted to the District in person, by mail, to a designated facsimile machine, and to a designated e-mail address.

Each request must include the following information:

1. Identification or description of the requested record, in sufficient detail to enable the Open Records Officer to ascertain which record is being requested.
2. Medium in which the record is requested.
3. Name and address of the individual to receive the District's response.

The District shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.

Response to Request

Upon receipt of a written request for access to a record, the Open Records Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Open Records Officer.

The initial response shall grant access to the requested record; deny access to the requested record; partially grant and partially deny access to the requested record; notify the requester of the need for an extension of time to fully respond as permitted by law; or request more detail from the requester to clearly identify the requested material.

If the District fails to send a response to a request within five (5) business days of receipt of the request, the request for access shall be deemed denied.

If the Open Records Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected, and an estimate of applicable fees owed when the record becomes available.

Up to a thirty (30) day extension for one of the listed reasons does not require the consent of the requester. If the response is not given by the specified date, it shall be deemed denied on the day following that date.

When responding to a request for access, the District is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the District does not currently use.

Granting of Request

If the Open Records Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include information on the regular business hours of the administration office, provide electronic access, or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall include a copy of the fee schedule in effect, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of \$100, and the medium in which the records will be provided.

A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the District is not required to, and will not, permit use of its computers.

The Open Records Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means. If the requester, within thirty (30) days following receipt of the District's notice, submits a written request to have the record converted to paper, the District shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.

A requester's right of access does not include the right to remove a record from the control or supervision of the Open Records Officer.

Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice.

Denial of Request

If the Open Records Officer denies a request for access to a record, whether in whole or in part, the written response shall include the following:

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Open Records Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

Availability of Information

The District shall post at the administration office and on the District's web site, the following information:

1. Contact information for the Open Records Officer.
2. Contact information for the state's Office of Open Records or other applicable appeals officer.
3. The form to be used to file a request, with a notation that the state Office of Open Records form may also be used if the District decides to create its own form.
4. Board Policy 11201 and any administrative regulations and/or procedures governing requests for access to the District's public records.

Fees

Except for the duplication fee established by the state, the administration shall implement a list of reasonable fees relative to requests for public records. The District shall maintain a list of applicable fees and disseminate the list to requesters as necessary.

Prior to granting access, the District may require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100. Additionally, the District may require that all fees (regardless of whether they exceed \$100) be paid by the requester after the request is granted and before the records are released to the requester. The District may provide copies of a record without charge or at a reduced charge where it determines that a waiver or reduction of the fee is in the public interest.

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3	Adoption Date	- January 13, 2003
4	Revision Date	- December 4, 2008; April 11, 2016; _____, 2024
5	Review Date	-
6	Legal Reference	- Right-to- Know Act, Sunshine Act
7		- 65 P.S. § 271
8		- 65 P.S. § 66.3
9		- 65 P.S. § 66.1
10	Cross Reference	-