

# MINERSVILLE AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: PUBLIC RECORDS

ADOPTED: November 25, 2002

REVISED: September 24, 2012

## 801. PUBLIC RECORDS

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| 1. Purpose   | <p>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 under law to inspect and to procure copies of public records, with certain exceptions, subject to Board policy.</p>   |
| 2. Definitions<br>65 P.S.<br>Sec. 66.1                     | <p>The <b>public records</b> of this district shall mean any account, voucher or contract dealing with the receipt or disbursement of funds; acquisition, use or disposal of services or supplies, materials, equipment or other property; or any minutes, orders or decisions fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group.</p>   |
| Act 169 of 1999  | <p><b>Electronic record</b> shall mean a record created, generated, sent, communicated, received or stored by electronic means.</p>  |
| 3. Authority<br>65 P.S.<br>Sec. 66.1 et seq<br>SC 408, 518 | <p>The Board shall make the district's public records and copies thereof available for inspection in accordance with established guidelines, with the exception of those records exempted from such inspection and copying by law and Board policy.</p> <p>The Board reserves the right to establish a fee schedule to reasonably reimburse the district for the actual research time and cost of making copies.</p> <p>Records exempted by law include:</p> <ol style="list-style-type: none"> <li>1. Reports, communications or other items whose publication would disclose the institution, progress or result of an investigation undertaken in the performance of official duties.</li> <li>2. Any record, document, material, exhibit, report, memorandum or other paper to which access or publication is prohibited, restricted or forbidden by law, court order or decree; or which would operate to the prejudice or impairment of a person's reputation or personal security; or would result in the loss of federal funds, except the record of a conviction for any criminal act.</li> </ol> |
| Title 22<br>Sec. 12.33                                     |  |

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| <p>P.L. 93-380<br/>45 CFR 99</p>   | <p>3. Records concerning individual students.</p>   |
| <p>4. Guidelines<br/>65 P.S.<br/>Sec. 66.1 et seq</p>  | <p>The public may inspect and procure copies of the public records of this district, except exempted records, during the regular business hours of the office in which such records are maintained, provided advance notice of intended inspection has been given to the Board Secretary not less than one (1) working day before inspection.</p>   |
| <p>42 U.S.C.<br/>Sec. 12101 et seq</p>   | <p>Information shall be made available to individuals with disabilities in an appropriate format upon request and with sufficient advance notice.</p> <p>A citizen may obtain copies of the public records of this district upon payment of the established cost of copying for each page.</p> <p>No public record may be removed from the control or supervision of the designated custodian.</p> <p>Nothing in this policy shall prevent a Board member from inspecting any district public record in the performance of official designated duties.</p>  |
| <p>SC 518</p>  | <p><del>Retention of Records</del></p> <p>The Board shall retain as a permanent record of the district the minute book, each annual audit report and each annual financial report.</p> <p>All other financial records of the district, including financial account books, orders, bills, contracts, invoices, receipts and orders, shall be retained by the district for a period of not less than six months.</p>  |
| <p>5. Delegation of Responsibility</p> <p>SC 518<br/>P.L. 93-380<br/>45 CFR 99<br/>Title 22<br/>Sec. 12.33</p> | <p>The Superintendent shall develop procedures to implement this policy which include:</p> <p><i>This section is revised and can be found as Board Policy 801.1 - Record Retention and Destruction.</i></p> <p>1. Preparation of a policy which conforms to law; requires permanent safeguarding of minutes, annual audit reports and permanent student records; and mandates retention of all fiscal records required for audit until the audit has been received and approved.</p> <p>2. Provisions to guard the confidentiality of records exempted from the availability of public records.</p> |
| <p>Pol. 906</p>  | <p>3. Procedures by which a citizen is denied access to any district records may appeal that decision.</p>  |