

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

ADMINISTRATIVE REGULATION

Name: Public Records

Section: K/L Community

Code: KBA-AR

Public record includes any writing containing information relating to the conduct of the district's business. Writing means handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds or symbols or combination thereof, and papers, maps, files, facsimiles, electronic recording and e-mail, including deleted e-mail on backup. Public record does not include messages on voice mail or on other telephone message storage and retrieval systems.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.

The Board's official minutes, its written policies and its financial records will be available at the superintendent's office for inspection by any citizen desiring to examine them during hours when the superintendent's office is open. All such information will be made available to individuals with disabilities in any appropriate format upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The District supports the right of the people to know about programs and services of their schools and will make every effort to disseminate information. Each principal is authorized to use all means available to keep parents and others of his/her particular school's community informed about the school's program and activities.

No records will be released for inspection by the public or any unauthorized persons – either by the superintendent or any other person designated as custodian for district records – if such disclosure would be contrary to the public interest, as described in state law.

If a copy of a record is requested, the district will provide a single certified copy. If a request to inspect a record is made and the public record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If not available in the form requested, it will be provided in the form the public record is maintained. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under ORS 30.275 (5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.

Employee and volunteer addresses, electronic addresses, social security numbers, dates of birth, and telephone numbers contained in personnel records maintained by the district are exempt from public disclosure pursuant to ORS 192.445 and ORS 192.502 (3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. Additionally, the district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by

the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

Upon receipt of a request, the district will respond as soon as practicable and without unreasonable delay. The response must acknowledge the receipt of the request and one of the following:

1. A statement that the district does not possess or is not the custodian of the public record.
2. Copies of all requested public records for which the district does not claim an exemption from disclosure under ORS 192.410 to 192.505.
3. A statement that the district is the custodian of at least some of the requested public records, an estimate of the time the district requires before the public records may be inspected or copies of the records will be provided and an estimate of the fees that the requester must pay as a condition of receiving the public records.
4. A statement that the district is the custodian of at least some of the requested public records and that an estimate of the time and fees for disclosure of the public records will be provided by the district within a reasonable time.
5. A statement that the district is uncertain whether the district possesses the public record and that the district will search for the record and make an appropriate response as soon as practical.
6. A statement that state or federal law prohibits the district from acknowledging whether the record exists or that acknowledging whether the record exists would result in the loss of federal benefits or other sanctions. A statement under this paragraph must include a citation to the state or federal law relied upon by the district.

The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request.

The District reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making copies of public records for the public. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Requests for copies of documents shall be in writing and will be presented to the superintendent's office.

In compliance with Oregon law, the following guidelines apply to the dissemination, inspection and examination of the public records of the district:

1. All requests for information must be made through the superintendent's office located at 520 NW Wall Street, Bend, OR 97701.
2. Requests for information concerning sensitive, technical or emotional issues may be required to be submitted in writing and the district will respond in writing within a time frame consistent with the request. Reasonable accommodations will be provided for persons with disabilities upon request and with appropriate advance notice.
3. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be reimbursed to the district. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

4. The district reserves the right to restrict the inspection of some public records to the district's facilities.

Public Records Request Form Attached to this Administrative Regulation

LEGAL REFERENCES:

[ORS Chapter 192](#)

[OAR 137-004-0800\(1\)](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Or. Dep't of Justice, Or. Att'y General's Model Public Contract Rules Manual (2003).

Reviewed: 1/10/08, 7/15/09

Approved: 2/21/08, 7/15/09

Bend-La Pine Schools Public Records Request Form

Please send completed form to: andrea.wilson@bend.k12.or.us or fax to 541.355.1009

Section A - Requestor Information

NAME OF REQUESTING INDIVIDUAL		
PHONE	FAX	EMAIL
FIRM OR TRADE NAME		
BUSINESS ADDRESS		
CITY	STATE	ZIP
MAILING ADDRESS (IF DIFFERENT)		
CITY	STATE	ZIP

Section B – Record(s) Requested

Describe the record you are requesting. Please be as specific as possible and include enough detail to assist Bend-La Pine Schools staff in locating the record(s). For multiple records, attach additional pages.

DESCRIPTION OF RECORDS REQUESTED

Section C – Receiving Record(s)

Per ORS 192.440, for public records request with an estimated cost of more than \$25, the District is required to provide the requestor with a written notification of the estimated amount of the fee. The fee is due in advance if the requestor wants the District to proceed with making the records available.

Bend-La Pine Schools estimate of job cost: \$ _____

Requestor confirmation of receipt of job estimate and authorization to proceed with making records available. Requestor has enclosed pre-payment of estimated job costs, and agrees to pay for any additional costs after job completion.

Requestor Signature

Date

OFFICE USE ONLY

ESTIMATE An estimate of \$ _____ was provided on _____ by _____	REQUEST STATUS <input type="checkbox"/> Authorization to Proceed <input type="checkbox"/> Request Withdrawn <input type="checkbox"/> Information provided and request completed	PAYMENT STATUS Amount Received: \$ _____ <input type="checkbox"/> Cash <input type="checkbox"/> Check
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