

REGULATION BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY

Related Entries: Policy KI
Responsible Office: PUBLIC INFORMATION OFFICE

PROCEDURES FOR RESPONDING TO MARYLAND PUBLIC RECORDS REQUESTS

A. PURPOSE

To ensure Anne Arundel County Public Schools (AACPS) fully complies with Title 10, Subtitle 6, Part III, of the State Government (SG) Article, *Annotated Code of Maryland*, more commonly known as the Maryland Public Information Act (Act), when responding to all public records requests.

B. BACKGROUND

The purpose of the Act is to enable people to have access to government records without unnecessary cost or delay. AACPS, as a custodian of such government records, must provide access to all qualifying records, unless the requested records fall within one of the exceptions in the Act.

C. PUBLIC RECORDS

By law, any records made or received by AACPS in connection with the transaction of public business are "public records", including, but not limited to, written material, photographs, photostats, films, microfilms, recordings, tapes, computerized records, maps, drawings, and both printed and electronically stored versions of e-mail messages. An otherwise private document that AACPS staff has included in its files may become a public record, unless covered by one of the recognized exceptions.

D. IMPLEMENTATION

1. Initiating Requests

Requests for public records made under the Act must be in writing and specify the documents already in existence that are being sought, which are within the custody of AACPS. All requests will be handled by the Public Information Office, which shall respond to requests in accordance with the processes set forth in the Act. The Public Information Office will facilitate the compilation of information, where applicable, to be forwarded to the requestor, unless the request is denied in accordance with the provisions of the Act.

2. Privileged and Confidential Information

Under the Act, privileged and/or confidential information is not subject to release. This includes, but is not limited to, such documents and records as: student records with personally identifying information; employee home addresses and telephone numbers; personnel evaluations and employment recommendations; trade secrets; and test questions.

3. Electronic Documents

To conserve resources and ensure the integrity of the requested records, AACPS may elect to deliver documents responsive to a request for information in an electronic format that cannot be manipulated or reconfigured.

4. Creation of Documents

The Act provides that existing records, not otherwise privileged or confidential, which are deemed public are to be released. AACPS is not required by law to create reports or documents to satisfy a request made under the Act, and will not do so.

5. Research, Preparation and Compilation Time

Consistent with the Act, AACPS will provide two hours of labor free of charge when responding to requests. Requestors will be charged for the time involved in research, preparation, and compilation (minus the two hours allowed under the Act). When a request is anticipated to consume more than two hours of labor, AACPS will notify the requestor and provide a cost estimate. Requestor must agree to the fee amount before compiling of documents begins. Where the cost estimate is likely to be less than \$50.00, no deposit will be required before preparation and compilation of documents. Where the cost estimate is likely to be \$50.00 or more, AACPS will require a deposit of 75 percent of the estimate before initiating any research, preparation, and compilation. In all cases, fees must be paid in full before any documents are delivered.

6. Copying and Other Fees

Documents of 10 or fewer pages will be copied free of charge. As authorized by the Act, AACPS will charge a fee of 25 cents per page for documents that exceed 10 pages. AACPS personnel will be responsible for copying documents. If the copying must be done at a commercial facility for any reason, the requestor will be charged the actual fee assessed by that commercial facility. Exclusive of the time needed for research and compilation, a requestor will be charged \$1.00 each for a CD or DVD unless a requestor wishes to furnish his or her own CDs or DVDs, in which case the materials fee will be waived. These fees are subject to a change in the future upon further review, with any revisions made to this

regulation to be posted to the AACPS Web site and duly noted in any correspondence with a requestor.

AACPS reserves the right to impose reasonable fees for other materials not listed here.

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Note previous regulation history: None.