

## **Administrative Regulation**

### **COMMUNITY RELATIONS**

#### **Access to District Records**

##### **1.0 Public Access to Records**

Any member of the public, including any organization or business, may inspect or copy existing public records that the district prepares, owns, uses, or retains. The district will not use public funds to generate new records or to reformat existing documents to meet particular requests.

##### **2.0 Definitions**

2.1 "Public records" are writings containing information relating to the district's conduct of the public's business. "Public records" include existing written documents, photographs or other graphics, computer disks or printouts, and similar fixed information. "Public records" do not include information that is not in record form or district students' or employees' personal correspondence or materials.

2.2 "Inspect" means to view records on district premises in a district employee's presence.

##### **3.0 Procedure**

3.1 Any person who would like to inspect or copy a public record may submit a written or electronic request to the Superintendent's Office, on a form that the Superintendent provides. Forms are available at the Superintendent's Office:

Berryessa Union School District  
1376 Piedmont Road  
San Jose, California 95132

ask will Because the purpose of requiring written requests is to clearly identify the record or records requested and to establish the date the request is made, district personnel will ask persons making oral requests to complete a written request form. District personnel will help any person who requests assistance in completing the form.

3.2 When responding to records requests, district personnel will follow procedures and timeframes established by state law.

3.3 In order to ensure that district records are properly protected, a district staff person will always be present whenever district records are inspected, and district personnel will make or order all requested copies.

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(continued)

3.4 District personnel will deny a request to inspect or copy when:

- \* The district cannot identify the record requested;
- \* The district does not prepare, own, use, or maintain the requested record;
- \* The record is exempt from disclosure under state or federal law; or
- \* On the facts of the particular case, the public interest served by not making the record public clearly outweighs the public interest served by disclosing the record.

3.5 District personnel will deny requests to copy materials that others have copyrighted, such as instructional texts, and software that the district itself has developed and copyrighted.

3.6 Whenever the district denies a request to inspect or copy a record, the district will disclose to the individual making the request the reason for the denial and the name, title, and district telephone number of the district official or employee making the decision to deny access to the record.

4.0 Copying Charges

4.1 The Superintendent has determined that the actual direct cost of copying requested records is \$ .15 per page for photocopies and \$9.50 per computer diskettes that district personnel make on district premises. The cost of reproducing an electronic document or file electronically will be \$ .09 per document or file. This sum does not include staff time to identify, locate, review, retrieve, or re-file requested records.

4.2 The district will charge the following rates for copies of district public records:

- \* \$ .15 (fifteen cents) per page for photocopying records on district premises;
- \* \$9.50 (nine dollars and fifty cents) per computer diskette made on district premises;
- \* \$ .09 (nine cents) per electronic document or file; and,
- \* actual cost to the district for records professionally copied off-site.

Approved: October 19, 1993  
Revised: December 16, 1997  
Revised: March 20, 2007  
Revised: August 31, 2007

**Berryessa Union School District**

## Public Records Request

Any member of the public may ask to inspect or copy public records maintained by the Berryessa Union School District. "Public records" include existing written documents, photographs or other graphics, computer disks or printouts, and the like. Some records, including some student and employee records, are restricted.

If you would like to see a record, please complete this form and submit it to the Superintendent's Office. A district staff member will contact you within ten (10) days to arrange a time when you may see the records or to explain why the records are not available. A staff member must be present when you inspect records. Photocopies cost fifteen cents (15 cents) per page. The district will not reformat or create records to satisfy special requests or let you copy copyrighted materials.

**Your Request:** \_\_\_\_\_ Date \_\_\_\_\_

Your name \_\_\_\_\_ Daytime phone # \_\_\_\_\_

Your address \_\_\_\_\_

A brief description of the records you request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### District Response:

The records you requested are available. Please call \_\_\_\_\_ at \_\_\_\_\_ (name) \_\_\_\_\_ to arrange a time to inspect these records. (phone number)

The records you requested are not available to the public because \_\_\_\_\_

The information you have requested is not available in record form. Please call \_\_\_\_\_ at \_\_\_\_\_ to get more information about this topic. (name) (phone number)

Other response: \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_ Phone #: \_\_\_\_\_ Date \_\_\_\_\_

1376 Piedmont Road, San Jose, California 95132 (408) 923-1810 (FAX: 923-0623)

December 16, 1997