



## **SECTION II: COMMUNITY RELATIONS POLICY 2140**

### PRODUCTION OF PUBLIC RECORDS

Purpose: The purpose of this policy is to describe the District's obligations and procedures with regard to the Oklahoma Open Records Act (the "Act").

#### District Philosophy

The School District, as a tax supported institution, recognizes that the public has a right to be fully informed concerning its operations. The School District strongly believes that informed citizens are vital to the successful functioning of the democratic government process which this School District desires to exemplify to its students.

In order to achieve these goals, the Board of Education hereby states that all records of the School District, except those records designated as confidential in this Policy Statement, or, otherwise, as required by federal or state law, shall be open to any person for inspection, copying and/or mechanical reproduction during regular business hours. All persons requesting the right to inspect non-confidential records of the School District shall be accorded prompt access to those records.

#### Confidential Records Not Available for Inspection

As permitted by the Act, the School District hereby designates the following records as confidential and not open for public inspection:

1. Records which can be kept confidential under federal or state law.
2. Personnel records which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation.
3. Personnel records where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, and employment applications submitted by persons not hired, and transcripts from institutions of higher education.
4. Bid specifications for competitive bidding prior to publication; contents of sealed bids prior to bid opening; computer programs or software (but not the data thereon); and appraisals relating to the sale or acquisition of real estate prior to the award of a contract – if disclosure would give an unfair advantage to competitors or bidders.
5. Personal communications received from a person exercising rights secured by the Oklahoma or United States Constitution, except for the fact that a communication has been received and that it is or is not a complaint. Any response to such personal communications shall be confidential only to the extent necessary to protect the identity of the person exercising the right.
6. Individual student records, except for:
  - a. Statistical information not identified with a particular student if such information is maintained in a composite form



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- b. Directory information as defined in the Act, if, pursuant to the Family Educational Rights and Privacy Act that information has been designated by the School District as directory information and parents have been notified of and have not exercised their non-release rights.
7. Instructor lesson plans, tests and other teaching materials.
8. Personal communications concerning individual students.
9. Personal notes and personally created materials, when made prior to taking action, making a recommendation or issuing a report. Confidentiality does not extend to departmental budget requests prepared as an aid to memory or research leading to the adoption of a public policy or the implementation of a public project.
10. The home address of any person employed or formerly employed by the School District.
11. The home telephone number of any person employed or formerly employed by the School District, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

#### Records Custodian

The Board of Education hereby designates its Director of Public Relations or if such person is not available during regular business hours, its Superintendent (or designee) as the person authorized to release non-confidential public records for inspection, copying or mechanical reproduction. The Records Custodian shall ensure that confidential records of the School District are not improperly disclosed, inspected, copied or reproduced.

Under Oklahoma law, the Board Clerk is the custodian of the District's copy of required school board election related filings. Copies of these documents can be obtained by making a request through the Records Custodian as noted above.

#### Fees for Records and for Search for Records

The fees for duplicating records are described in the attached fee schedule. When a request for public records would clearly cause excessive disruption of the School District's essential functions or is solely for commercial purpose, the School District will charge a reasonable fee for any search time, administrative time or computer query/programming time as specified in the attached fee schedule to recover the direct cost of document search.

The School District does not consider publication in a newspaper or broadcast by news media as resale or use of data for trade or commercial purpose. However, the School District shall charge the news media and others the direct cost of copying electronic data.

A search fee shall not be charged when the release of documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine



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whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

Costs associated with reproduction of public records shall be paid by, or on behalf of the requestor, at the time documents requested are to be picked up. In the event of a large records request, the School District may request a deposit, to be set by the records custodian, to be made at the time of the request.

#### Request for Records

Requests for public records shall be made to the attention of the Superintendent of Schools or the District's Records Custodian. The request shall identify with specificity the record or records sought. Where the request for records is unclear or confusing, the Records Custodian may request that the requestor provide a more precise explanation or description of the records requested. The District shall produce records requested promptly, taking into consideration the accessibility of the record, the number and type of records requested, and the press of School District business.

An individual requesting public records, pursuant to the Act, is requested to use the District's Request Form to expedite the processing of the request.

#### Appeal of Denial of Records

If inspection of documents designated as confidential is denied, the person requesting access to such documents shall have a right to appeal the denial to the Superintendent of Schools.

Source: *Broken Arrow Board of Education policy adoption, July 13, 2009.*  
*Broken Arrow Board of Education policy revision, December 8, 2014.*  
*Broken Arrow Board of Education policy revised, December 11, 2017.*  
*Broken Arrow Board of Education policy revised, <DATE>.*

Policy submitted to Tulsa/Wagoner County Clerks December 9, 2014.

Policy submitted to Tulsa/ Wagoner County Clerks December 13, 2017.



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#### FEE SCHEDULE FOR DUPLICATION OF AND SEARCH FOR SCHOOL RECORDS

In compliance with provision of the Oklahoma Open Records Act (Title 51, Oklahoma Statutes 24 A. 1 et seq.), the following fee schedule is established for the search and duplication of District and/or student records. The fee schedule shall be effective for the 2008-2009 fiscal year, and for subsequent years until amended by the Board of Education or altered by change in the Oklahoma Open Records Act or other federal or state statute.

1. If copies of District documents are requested, the person making the request agrees to pay in advance \$0.25 per page for 8 ½ x 11 copies or electronic files in JPG, PDF or TIFF format.
2. If copies of District documents are requested, the person making the request agrees to pay in advance \$0.25 per page for 8 ½ x 14 copies or electronic files in JPG, PDF or TIFF format.
3. If copies of District documents are requested, the person making the request agrees to pay in advance \$.50 per page for computer printouts.
4. If dubs or copies of audio tapes are requested, the person making the request agrees to pay in advance \$6.00 for each tape.
5. If dubs or copies of videotapes are requested, the person making the request agrees to pay in advance \$15.00 for each ~~tape~~DVD (copies of ~~ArrowVision~~BATV programs may be obtained by contacting ArrowVisionBATV—the ArrowVisionBATV—rate schedule is \$10 per DVD ~~or VHS~~—if picked up; \$13 per DVD ~~or VHS~~—if mailed by BATVArrowVision to person making the request).
6. If copies of material on computer disk are requested, the person making the request agrees to pay in \$10.00 for each disk.

If a search is necessary to furnish the documents and if this request is solely for commercial purposes or if the request is going to cause excessive disruption of the business of the School District, the person or organization making the request agrees to pay a search fee of \$9.00 per hour for secretarial time; \$30.00 per hour for administrative time; \$100.00 per hour for computer query or programming (all calculated on quarter-hour increments). The Superintendent of Schools, after consultation with appropriate District officials, and if deemed appropriate, the District's legal counsel, will determine whether any request is going to cause excessive disruption of the business of the District. This determination by the superintendent shall be made in the light of the totality of the circumstances involved with each request. The Superintendent shall consider such things as the number of documents sought, their page lengths, the number of employees who will be involved in the search, the length of time it will take to assemble the documents, whether employees will be required to redact confidential information from documents, and whether the request will divert staff from their regular jobs.

Fee Schedule submitted to Tulsa/Wagoner County Clerks December 9, 2014.



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Fee schedule submitted to Tulsa/Wagoner County Clerks December 13, 2017.  
PUBLIC RECORD ACCESS REQUEST OKLAHOMA OPEN RECORDS ACT

TO: Broken Arrow Public Schools  
701 S Main Street  
Broken Arrow, OK 74012-4334

1. Pursuant to the Oklahoma Open Records Act, the undersigned hereby requests access to the following School District records:

\_\_\_\_\_

(Describe records as specifically as possible; attach additional sheets if necessary)

2. The undersigned requests access to the foregoing records for the following purpose:

\_\_\_\_\_

\_\_\_\_\_

3. If copies of the documents are requested, the undersigned agrees to pay \$.25 per page for copies, and/or such other fees as specified in the District's Fee Schedule for Duplication of and Search for School Records. If a search is necessary to furnish the documents and would clearly cause excessive disruption of the School District's essential functions or if this request is solely for commercial purposes, the undersigned agrees to pay the search fee as specified in the District's Fee Schedule for Duplication of and Search for School Records.

4. The undersigned is acting as representative or agent for

\_\_\_\_\_

\_\_\_\_\_

To Be Completed By Requestor:

To Be Completed By School District:

\_\_\_\_\_  
(Print name)

Received by Broken Arrow School District

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Employee Name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
Record Request No.

\_\_\_\_\_  
(City, State, Zip)

\_\_\_\_\_  
(Phone Number)