



BOARD OF EDUCATION POLICY

OPEN RECORDS

The board of education adopts this policy in connecting with the Oklahoma Open Records Act (the "Act").

Philosophy

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

In order to achieve these goals, the board of education hereby states that all records of the technology center, except those records designated as confidential in this policy, 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 technology center shall be accorded prompt access to those records.

Confidential Records Not Available for Inspection

As permitted by the Act, the technology center 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 examinations 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, 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 State Constitution, except for the fact that a communication had 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 and (b) directory information as defined in the Act, if, pursuant to the Family Educational Rights and Privacy Act that information (i) has been designated by the school district as directory information and (ii) 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 department 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 technology center.
11. The home telephone number of any person employed or formerly employed by the technology center, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Records Custodian

The board of education hereby designates its superintendent or if such person is not available during regular business hours, then its an associate superintendent as the person authorized to release non-confidential public records for inspection, copying or mechanical reproduction.

Under Oklahoma law, the board clerk is the custodian of the technology center's copy of required school board election related filings.

Copies of these documents can be obtained by making a request through the clerk's



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designee, the professional assistant.

Fees for Records and for Search for Records

See board policy fee schedule at the end of this document.

When a request for public records would clearly cause excessive disruption of the school's essential functions or is solely for commercial purpose the technology center will charge a reasonable search fee equaling the actual hourly direct costs to the technology center in fulfilling the request. This cost includes the base salary, benefits, taxes, burdens, and retirement contributions paid by the technology center for the employee(s) involved in the fulfillment of the request as well as legal fees incurred by the technology center if required-search. The requestor will be charged a fee equal to the technology center's direct costs this hourly rate for all search time, review time, and, if necessary, time spent redacting records prior to production.

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

Cost 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 or a request that involves an outside cost to the technology center, the school may request a deposit, to be set by the Professional Assistant, to be made at the time of the request.

The technology center may require advance payment of the estimated fees when the estimated cost exceeds \$75.00 or if the requestor has outstanding fees from previous requests. Any portion of an advance payment that exceeds the costs of responding to the request shall be returned to the requestor.

Request for Records

Requests for public records shall be made to the attention of the Superintendent or the Professional Assistant. The request shall identify with specificity the record or records sought. When the request for records is unclear or confusing, the Professional Assistant may request that the requestor provide a more precise explanation or description of the records requested. The technology center 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 business.

An individual requesting public records, will be required to use the technology center's request form. . If a records request does not describe the requested records with reasonable specificity, the technology center will require the requestor to clarify the request. To have reasonable specificity, a request shall:

- a. specify a general time frame within which the requested records would have been created or transmitted,
- b. seek identifiable records, rather than general information without any qualifiers or other specifications, and
- c. include search terms that are sufficiently specific to assist the public body in identifying the requested records.

If the technology center has engaged with the requestor to seek the information needed to fulfill the request and to identify the records sought by the requestor, including providing the requestor with general topics or a specific list of records related to the request, the request may be denied if it is still not reasonably specific.

OPEN RECORDS ACT SCHEDULE OF FEES

Research fee (For research, review, and redacting which exceeds 15 minutes)

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|-------------------------|--------------------|
| • <u>MNTC Employee*</u> | <u>Direct cost</u> |
| • <u>Legal counsel</u> | <u>Direct cost</u> |

<u>Black & white copy (not exceeding 8.5 x 11" in size)</u>	<u>\$.25 per page</u>
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<u>Color copy (not exceeding 8.5 x 11" in size)</u>	<u>\$.50 per page</u>
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<u>Certified copy</u>	<u>\$1.00 per page</u>
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<u>Oversized copy (exceeding 8.5 x 11")</u>	<u>\$1.50 per page</u>
<u>Mailing fee (if mail delivery is requested/required)</u>	<u>Direct cost</u>
<u>Electronic data conversion (PDF)</u>	<u>\$.25 per page</u>
<u>Digital files (up to 150 mb) via email</u>	<u>\$1.00 per file</u>
<u>Flash Drive (required for files over 150mb)</u>	<u>Direct cost</u>

*(Includes employee base salary, benefits, taxes, burdens, and retirement contributions paid by the technology center in 15 minute increments)

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.~~

Reference: Okla. Stat. tit. 51, §§ 24A.16; 51, 24A.5, 24A.7, 24A.14, 24A.9, 24A.10.