

# DICKSON COUNTY BOARD OF EDUCATION

<b>Monitoring:</b>  <b>Review:</b> Annually, in April	<b>Descriptor Term:</b>  <b>School District Records</b>	<b>Descriptor Code:</b> <b>1.407</b> <b>Rescinds:</b> <b>1.407</b>	<b>Issued Date:</b> 9-21-17 <b>Issued:</b> 7-28-16
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1 The Director of Schools shall maintain all school district records required by law, regulation, and  
2 board policy. Any citizen of Tennessee shall be permitted during business hours to inspect public  
3 records maintained by the school district unless otherwise prohibited by law. Any citizen of  
4 Tennessee may request in writing and receive copies of open public records subject to the  
5 payment of reasonable cost.<sup>1,2,3,4</sup>

6 No records pertaining to individual students will be released for inspection by the public or any  
7 unauthorized persons. In addition, information, records, and plans related to security and safety  
8 will not be released for public inspection.<sup>11</sup>

9 All requests to inspect or receive copies of records shall be submitted to the Director of Schools'  
10 office.<sup>12</sup>

11 Prior to producing any record, the records custodian shall ensure confidential information is  
12 redacted. Original documents remain intact and confidential information in copies produced for a  
13 requestor shall be redacted. The Director of Schools shall develop a procedure to redact  
14 confidential information.

## 15 **REQUESTS FOR INSPECTION<sup>2</sup>**

16 Citizens requesting to inspect public records shall submit their request and a government issued  
17 photo identification card with the citizen's address to the district's public records request  
18 coordinator during normal business hours. Requests may be made in person or by telephone, fax,  
19 mail, or email. The coordinator shall submit the information to the appropriate records custodian.  
20 The records custodian will contact the citizen and indicate when the records will be available to  
21 inspect.

22 If the records cannot be made available within seven (7) business days, the records custodian  
23 shall provide a records production letter indicating the time needed to complete the request.

24 If the request to inspect is denied, the records custodian shall provide the citizen with a records  
25 request denial letter indicating the basis for the denial.

## 26 **REQUESTS FOR COPIES<sup>2</sup>**

27 Citizens requesting copies of public records shall complete and submit the Records Request  
28 Form and a government issued photo identification card with the citizen's address to the  
29 district's public records request coordinator during normal business hours. The coordinator shall  
30 submit the Records Request Form to the appropriate records custodian.

31 The records custodian shall provide an estimate of the reasonable costs to produce the requested  
32 records. The Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule  
33 of Reasonable Charges found at <https://www.comptroller.tn.gov/openrecords/forms.asp> shall be

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1 used to determine the reasonable cost. The records custodian will provide the citizen with an  
2 invoice detailing the charges. The citizen shall pay the estimated reasonable costs by **cash or**  
3 **check** prior to the district producing the copies.

4 If the records cannot be made available within seven (7) business days, the records custodian  
5 shall provide a records production letter indicating the time needed to complete the request.

6 If the request for copies is denied, the records custodian shall provide the citizen with a records  
7 request denial letter detailing the basis for the denial.

## 8 **FREQUENT AND MULTIPLE REQUESTS**

9 When the total number of requests for copies made by a requestor within a calendar month  
10 exceeds four (4), the requestor may be charged a fee for any and all labor that is reasonably  
11 necessary to produce copies of the requested records. Prior to charging a reasonable fee, the  
12 requestor shall be notified of this policy and provided with a Notice of Aggregation of Multiple  
13 Requestors form. The Tennessee Comptroller of the Treasury, Office of Open Records Counsel  
14 Schedule of Reasonable Charges found at <https://www.comptroller.tn.gov/openrecords/forms.asp>  
15 shall be used to determine the reasonable cost. Further, the names of persons inspecting records  
16 and the date of inspection shall be recorded.

## 17 **DENYING REQUESTS FOR NONCOMPLIANCE<sup>13</sup>**

### 18 *Requests to Inspect a Public Record*

19 The district shall deny a request to inspect a public record from any citizen that has:

- 20 a. made two (2) or more requests to view a public record within a six-month period; and
- 21
- 22 b. for each request failed to view the record within fifteen (15) business days of receiving
- 23 notification that the record was available.

24 Requests from this citizen shall be denied for up to six (6) months from the date of the second  
25 records request. The district's public records request coordinator may waive this denial if he/she  
26 determines that failure to view the record was for good cause.

### 27 *Requests for Copies of Public Records*

28 The district shall deny a request for copies of a public record from any citizen that has:

- 29 a. been provided with an estimate of the reasonable cost to produce the requested records;
- 30 b. agrees to pay such estimated reasonable cost prior to production of the records; and
- 31 c. fails to pay the actual cost after the records have been produced.

32 Additional requests from this citizen shall be denied until the original cost is paid.

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## 1 RECORDS RETENTION

2 The Director of Schools / designee(s) shall retain and dispose of school district records in  
3 accordance with the following guidelines:<sup>2,4</sup>

- 4 1. The Director of Schools / designee(s) will determine if a particular record is of permanent  
5 or temporary value in accordance with regulations promulgated by County Public  
6 Records Commission and the Tennessee Institute for Public Services records manual;<sup>5,6</sup>
- 7 2. Temporary value records which have been kept beyond the required time may be  
8 recommended to the Public Records Commission for destruction;<sup>7,8</sup>
- 9 3. The records that the State Librarian and Archivist desire to preserve in their facilities will  
10 be transferred to the State Library and Archives. The temporary value records rejected by  
11 the State Library and Archives may be transferred to another institution or destroyed;<sup>7,8,9</sup>
- 12 4. Permanent records will be kept in some usable form (digital, printed, microfilm, etc.). If  
13 the Director of Schools desires to destroy the original permanent record, these records  
14 must be reproduced by microfilming or some other permanent reproduction method.  
15 Permission to destroy any original permanent record after microfilming follows the same  
16 procedure noted above for temporary records;<sup>6,8</sup> and
- 17 5. The Director of Schools shall establish procedures to safeguard against the unlawful  
18 destruction, removal, or loss of records.<sup>10</sup>

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### Legal References

1. TCA 49-2-301(b)(1)(CC)
2. TCA 10-7-503; Public Acts of 2017, Chapter No. 233
3. TCA 10-7-506(a)
4. TCA 49-2-104
5. TCA 10-7-401
6. TCA 10-7-406
7. TCA 10-7-404
8. TCA 10-7-413
9. TCA 10-7-414
10. TCA 39-16-504

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### Cross References

Financial Reports and Records 2.701  
Personnel Records 5.114  
Student Records 6.600

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11. TCA 10-7-504(p)
12. *Policy Related to Reasonable Charges a Records Custodian May Charge for Frequent and Multiple Requests for Public Records*, Tennessee Comptroller of the Treasury, available at <https://www.comptroller.tn.gov/openrecords/forms.asp>.
13. Public Acts of 2017, Chapter No. 233
14. TCA 10-7-503(g)(4)

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