

## REQUESTS FOR INFORMATION

Buchanan County Public Schools shall comply with Virginia's Freedom of Information Act. All requests for information shall be processed in accordance with KBA-R.

Adopted: March 26, 2015

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Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3700 et seq.

## REQUESTS FOR INFORMATION

Buchanan County Public Schools is committed to full compliance with Virginia's Freedom of Information Act, and processes all requests for information in accordance with the following procedures:

### Access to Records

1. Official records subject to disclosure under the Freedom of Information Act are open to inspection and copying during the regular office hours of the Buchanan County Public Schools' central office.
2. When practicable, the following records are available on request at the central office:
  - School Board Meeting Minutes, School Board Policy Manual, School Board Regulations and any other records or information subject to disclosure under the Freedom of Information Act.
3. Unless otherwise specified by the superintendent, inspection of records takes place at the central office of Buchanan County Public Schools, and records are not removed from that site. Copies may be requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database are produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by Buchanan County Public Schools, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.
4. One of the following forms of identification must be presented, or a photocopy thereof must be provided, before any person is allowed to inspect any records or receive copies of any records:
  - press identification identifying requester as a representative of a newspaper or magazine with circulation in the Commonwealth or of a radio or television station broadcasting in or into the Commonwealth, or
  - driver's license or other official photo identification showing that requester is a citizen of the Commonwealth.
5. The superintendent or superintendent's designee is present during inspection or copying of records. A record of each inspection is made, using form KBA-F2 Record of Inspection and/or Delivery of Copies.

### Request Procedures

1. Requests for access to records shall be made with reasonable specificity.
2. Requests shall be directed to the Buchanan County Public Schools central office at:  
**Melanie Hibbitts**  
**P.O. Box 833**  
**Grundy, Virginia 24614**  
**Phone: (276) 935-4551**  
**Fax: (276) 935-7150**  
**E-mail: mhibbitts@buc.k12.va.us**
3. Requesters should make their requests using Form KBA-F1 Request for Public Records. Requests received at the central office via telephone are transcribed onto Form KBA-F1 Request for Public Records by central office staff. Written requests

other than on Form KBA-F1 Request for Public Records are appended to a copy of the form by central office staff, who fill out as much of the form as possible.

4. Building office personnel provide Form KBA-F1 Request for Public Records and a copy of this regulation upon request to any person interested in obtaining access to records, and shall instruct the requester to direct the request to the central office. Telephone inquiries are redirected to the central office. Any written requests received by building personnel are immediately forwarded to the central office with a notation indicating the date and time the request was received.

### **Responding to Requests**

1. Promptly, but in all cases within five working days of receiving the request, the school division provides the requested records to the requester or makes one of the following responses in writing:
  - (a) The requested records are being entirely withheld because their release is prohibited by law or because the Virginia Freedom of Information Act gives their custodian discretion to withhold them. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia Code section(s) or other law that authorizes the withholding of the records.
  - (b) The requested records are being provided in part and are being withheld in part because the release of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) or other law which authorizes the withholding of the records. When a portion of a requested record is withheld, the school division deletes or excises only that portion of the record to which an exemption applies and releases the remainder of the record.
  - (c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response includes contact information for the other public body.
  - (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response specifies the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses is provided within an additional seven-day period.

The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

2. The five-day period begins on the first working day following the day the request is received by the central office or by a building office, and ends at the close of business on the fifth working day following receipt of the request. Any time that

elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice is not counted in calculating the five working days.

### **Processing of Requests**

1. The superintendent or a designee, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days.
2. If the superintendent or designee is unsure whether the requested documents should be provided to the requester, legal advice is promptly sought.
3. If the superintendent or designee is uncertain whether the requested records exist or where they may be located, efforts are promptly initiated to locate the records or determine whether they exist.
4. If the requested records will be made available either in whole or in part, the superintendent or a designee promptly consults with central office staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this is taken into account. The following costs are charged at the rates indicated, not to exceed actual cost:
  - Staff member search time, charged by the quarter hour. Depending on the staff member(s) involved in the search, rates of \$3.75 to \$15.00 per quarter hour may apply.
  - Computer search time, charged at the rate of \$10.00 per quarter hour
  - Computer printouts, charged at the rate of \$0.90 cents per page
  - Photocopies (including those necessary to perform redactions), charged at the rate of \$0.82cents per page.
  - Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges).
5. If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed \$ 200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed \$200, the School Board may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.
6. Before processing a request for records, the superintendent or superintendent's designee may require the requester to pay any amounts owed to the School Board for previous requests for records that remain unpaid 30 days or more after billing.
7. If school division records have been transferred to any entity, including any other public body, for storage, maintenance or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.

8. Any records to be disclosed are assembled for inspection and copying by central office staff, under the direction and supervision of the superintendent or a designee.
9. Central office staff are responsible for recording the date the request was received, verifying photo identification and signature and recording and assembling additional information about the request as indicated on Form KBA-F1 Request for Public Records.

Adopted: July 16, 2015

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Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3704.

**REQUEST FOR PUBLIC RECORDS**

Name \_\_\_\_\_

Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

E-mail address \_\_\_\_\_

Phone \_\_\_\_\_

I am a (check one):

- Citizen of the Commonwealth of Virginia
- Member of the Press referenced in Va. Code §2.2-3704  
 News Organization \_\_\_\_\_

Identification must be presented prior to inspection of records or receipt of copies. A photocopy of identification is acceptable with a mailed/faxed request.

**STAFF USE ONLY**

Date Request Received: \_\_\_\_\_

Request was made (check one)

- by requester on this form
- by telephone
- in writing other than on form  
 (attach original request)

Date Response Sent: \_\_\_\_\_  
 (attach copy)

- Identification Verified  
 Type: \_\_\_\_\_  
 Number: \_\_\_\_\_
- Itemized Cost Estimate Attached

I am requesting access to the following records (please be as specific as possible, and attach additional paper if necessary):

\_\_\_\_\_

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Reasonable costs may be assessed in connection with this request. A current schedule of costs appears in Regulation KBA-R. If the costs associated with this request are expected to exceed \$200, the requestor will be asked to pay the estimated costs before the request is processed.

In addition, the requestor may ask for an advance determination of the cost of the request. Please indicate here if you would like an advance determination of cost.  
 Yes \_\_\_ No \_\_\_

If you are requesting copies, please specify the format in which you would like to receive them. Buchanan County school division will provide the record(s) in the requested format if that medium is used by it in the regular course of its business.

Specify format desired (if available):

- Photocopies
- Website posting
- E-mail (give address): \_\_\_\_\_
- Other (please specify): \_\_\_\_\_

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

**RETURN COMPLETED FORM TO:**  
 BUCHANAN COUNTY COUNTY PUBLIC SCHOOLS  
 P.O. Box 833, Grundy, VA 24614

