

Alcoa City Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Public Records	Descriptor Code: 1.407	Issued Date: 07/25/17
		Rescinds: 1.407	Issued: 09/17/13

1 Pursuant to Tenn. Code Ann. § 10-7-503, the following Public Records Policy for the Alcoa City
2 Board of Education (hereinafter the "Board") is hereby adopted to provide economical and efficient
3 access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tenn. Code
4 Ann.§ 10-7-501, et seq. and§ 10-7-401 et seq.

5 Concerns about this Policy should be addressed to the Public Records Request Coordinator for the
6 Board or to the Tennessee Office of Open Records Counsel ("OORC").

7 This Policy is available for inspection and duplication in the administrative office of the Director of
8 Schools. This Policy is posted online at www.alcoaschools.net. This Policy shall be reviewed at least
9 every two years. This Policy shall be applied consistently throughout the various offices, departments,
10 and/or divisions of the Board.

11 I. Definitions:

12 A. Records Custodian: The office, official, or employee lawfully responsible for the direct
13 custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records
14 custodian is not necessarily the original preparer or receiver of the record.

15 B. Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic
16 data processing files and output, films, sound recordings, or other material, regardless of
17 physical form or characteristics, made or received pursuant to law or ordinance or in
18 connection with the transaction of official business by any governmental agency. See Tenn.
19 Code Ann.§ 10-7-503(a)(1)(A).

20 C. Public Records Request Coordinator: The individual, or individuals, designated in Section
21 III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests
22 are routed to the appropriate records custodian and are fulfilled in accordance with the
23 TPRA. See Tenn. Code Ann.§ 10-7-503(a)(1)(B). The Public Records Request Coordinator
24 may also be a records custodian.

25 D. Requestor: A person seeking access to a public record, whether it is for inspection or
26 duplication.

27 II. Requesting Access to Public Records

- 1 A. Public record requests shall be made to the Public Records Request Coordinator
2 ("PRRC") or his/her designee, in order to ensure public record requests are routed to
3 the appropriate records custodian and fulfilled in a timely manner.
- 4 B. Requests for inspection may be made orally or in writing using the Public Records
5 Request Form at 524 Faraday Street, Alcoa, Tennessee 37701 or by phone at 865-
6 984-0531.
- 7 C. Requests for copies, or requests for inspection and copies, shall be made in writing
8 using the Public Records Request Form at 524 Faraday Street, Alcoa, Tennessee
9 37701.
- 10 D. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license,
11 or alternative acceptable form of ID acceptable to the records custodian, is required
12 as a condition to inspect or receive copies of public records.

13 **III. Responding to Public Records Requests**

- 14 A. Public Record Request Coordinator
- 15 i. The PRRC shall review public record requests and make an initial determination
16 of the following:
- 17 i. If the requester provided evidence of Tennessee citizenship;
18 ii. If the records requested are described with sufficient specificity to
19 identify them; and
20 iii. If the Board is the custodian of the records.
- 21 ii. The PRRC shall acknowledge receipt of the request and take any of the
22 following appropriate action(s):
- 23 i. Advise the requestor of this Policy and the elections made regarding:
- 24 a. Proof of Tennessee citizenship;
25 b. Form(s) required for copies;
26 c. Fees (and labor threshold and waivers, if applicable); and
27 d. Aggregation of multiple or frequent requests.
- 28 ii. If appropriate, deny the request in writing using the Public Records
29 Response Form, providing the appropriate ground such as one of the
30 following:
- 31 a. The request was not sufficiently detailed to enable identification
32 of the specific requested record(s). You need to provide
33 additional information to identify the requested records(s).

- 1 b. No such record(s) exists or this office does not maintain record(s)
2 responsive to your request.
- 3 c. No proof of Tennessee citizenship was presented with your
4 request. Your request will be reconsidered upon presentation of
5 an adequate form of identification.
- 6 d. The requestor is not a Tennessee citizen.
- 7 e. The requestor has not paid the estimated copying/production fees.
- 8 f. The following state, federal, or other applicable law prohibits
9 disclosure of the requested records: _____.
- 10 iii. Forward the records request to the appropriate records custodian of the
11 Board.
- 12 iii. The designated PRRC(s) is(are):
- 13 i. Director of Schools or his or her designee
- 14 ii. Contact information: 524 Faraday Street, Alcoa, Tennessee 37701
15 Phone: 865-984-0531
- 16 B. Records Custodian
- 17 i. Upon receiving a public records request, a records custodian shall promptly
18 make requested public records available in accordance with Tenn. Code Ann. §
19 10-7-503. If the records custodian is uncertain that an applicable exemption
20 applies, the custodian may consult with the PRRC, counsel, or the OORC.
- 21 ii. If not practicable to promptly provide requested records, then a records
22 custodian shall, within seven (7) business days from the records custodian's
23 receipt of the request, send the requestor a completed Public Records Request
24 Response Form.
- 25 iii. If a records custodian denies a public record request, he or she shall deny the
26 request in writing as provided in Section III.A.2.b using the Public Records
27 Request Response Form.
- 28 iv. If a records custodian reasonably determines production of records should be
29 segmented because the records request is for a large volume of records, or
30 additional time is necessary to prepare the records for access, the records
31 custodian shall use the Public Records Request Response Form to notify the
32 requester that production of the records will be in segments and that a records
33 production schedule will be provided as expeditiously as practicable.
- 34 v. If a records custodian discovers records responsive to a records request were
35 omitted, the records custodian should contact the requester concerning the
36 omission and produce the records as quickly as practicable.

1 C. Redaction

- 2 i. No records pertaining to individual students will be released for inspection or
3 copying under this policy to any unauthorized persons.
- 4 ii. If a record contains confidential information or information that is not open for
5 public inspection, the records custodian shall prepare a redacted copy prior to
6 providing access. If questions arise concerning redaction, the records custodian
7 should coordinate with counsel regarding review and redaction of record.
- 8 iii. Whenever a redacted record is provided, a records custodian should provide the
9 requester with the basis for redaction. The basis given for redaction shall be
10 general in nature and not disclose confidential information.
- 11 iv. If a request for copies is made, and a record must be copied or printed to
12 effectively create a redacted record for production, the additional cost of each
13 such printing or copying shall be included in the cost charged to the requestor at
14 the per page cost listed below for copies of records, whether the record is
15 ultimately produced electronically or in print.

16 **IV. Inspection of Records**

17 There shall be no charge for inspection of open public records. The location for inspection of
18 records within the offices of the Board should be determined by either the PRRC or the records
19 custodian.

20 **V. Copies of Records**

- 21 A. A records custodian shall promptly respond to a public record request for copies in
22 the most economic and efficient manner practicable.
- 23 B. Upon payment of all costs for the requested records, including postage if mailed,
24 copies will be delivered to the requester's home address by the United States Postal
25 Service, by electronic mail, or be available for pick up by the requester at the Board.
- 26 C. A requester will NOT be allowed to make copies of records with personal
27 equipment.

28 **VI. Fees and Charges and Procedures for Billing and Payment**

- 29 A. Records custodians shall provide requestors with an itemized estimate of the
30 charges using the Public Records Request Cost Estimate attached hereto as Exhibit
31 C prior to producing copies of records and may require pre-payment of such charges
32 before producing requested records.
- 33 B. When fees for copies and labor do not exceed \$5.00, the fees may be waived.

- 1 C. Fees and charges for copies are as follows:
- 2 i. \$0.15 per page for letter and legal-size black and white copies.
- 3 ii. \$0.50 per page for letter and legal-size color copies.
- 4 iii. Duplex (front and back) copies will be charged as two separate pages.
- 5 iv. If actual production costs are higher than those reflected above or if the
- 6 requested records are being produced on a medium other than 8 ½ x 11 or 8 ½ x
- 7 14 paper, the Board shall charge the actual production cost and shall include
- 8 with the request an explanation of the costs incurred.
- 9 v. Oversized or specialty copies may be outsourced to a vendor.
- 10 vi. Labor when time exceeds 1 hour. "Labor" includes the time reasonably necessary
- 11 to locate, retrieve, review, redact, and reproduce the records.
- 12 vii. If the Board is assessed a charge to retrieve requested records from archives or
- 13 any other entity having possession of requested records, the Board shall assess
- 14 the requestor the cost for retrieval of the records.
- 15 viii. For any computer generated map or other similar geographic data that was
- 16 developed with public funds and that also has commercial value, the Board shall
- 17 charge the actual production costs plus 10% of the actual cost to the Board in
- 18 developing such data, including labor, costs incurred in design, development,
- 19 testing, implementation and training, and costs necessary to ensure that the map
- 20 or data is accurate, complete and current.
- 21 ix. If an outside vendor is used, the actual costs assessed by the vendor.
- 22 x. Other: _____
- 23 D. Payment is to be made in cash, by personal check payable to Alcoa City Schools, or
- 24 by credit card presented to the records custodian.
- 25 E. Payment in advance will be required.
- 26 F. Aggregation of Frequent and Multiple Requests
- 27 i. The Board will aggregate record requests in accordance with the Frequent and
- 28 Multiple Request Policy promulgated by the OORC when more than (4)
- 29 requests are received within a calendar month (either from a single individual or
- 30 a group of individuals deemed working in concert). Such aggregation shall be
- 31 calculated across all Board departments collectively.
- 32 ii. The PRRC is responsible for making the determination that a group of
- 33 individuals are working in concert. The PRRC or the records custodian must
- 34 inform the individuals that they have been deemed to be working in concert and
- 35 that they have the right to appeal the decision to the OORC.

36 VII. Records Retention

37 The director of schools and/or his designee(s) shall retain and dispose of school district records
38 in accordance with the following guidelines:

- 1 A. The director of schools and/or his/her designee(s) will determine if a particular
2 record is of permanent or temporary value in accordance with regulations
3 promulgated by County Public Records Commission and the Tennessee Institute for
4 Public Services records manual;
- 5 B. Temporary value records which have been kept beyond the required time may be
6 recommended to the Public Records Commission for destruction;
- 7 C. The records that the State Librarian and Archivist desire to preserve in their
8 facilities will be transferred to the State Library and Archives. The temporary value
9 records rejected by the State Library and Archives may be transferred to another
10 institution or destroyed;
- 11 D. Permanent records will be kept in some usable form. If the director of schools
12 desires to destroy the original permanent record, these records must be reproduced
13 by microfilming or some other permanent, un-amendable, reproduction method.
14 Permission to destroy any original permanent record after microfilming shall be the
15 same procedure noted above for temporary records; and
- 16 E. The director of schools shall establish procedures to safeguard against the unlawful
17 destruction, removal, or loss of records. See Tenn. Code Ann. § 39-16-504.