

## **K-3 PUBLIC'S RIGHT TO KNOW (Access to Public Records)**

The Board of School Trustees of the Plainfield Community School Corporation recognizes the right of the public to information concerning its actions, its policies, and the details of its educational and business operations. The Board encourages study, discussion, and active participation by all concerned in the promotion of the best possible program of education in the community.

For similar reasons, the Indiana General Assembly passed the "Indiana Access to Public Records Act". The purposes of the act was to assure compliance with the philosophical statement included in the introductory paragraph of the act which reads as follows.

"A fundamental philosophy of the American constitutional form of representative government is that government is the servant of the people and not their master. Accordingly, it is the public policy of the state that all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees."

The Board of School Trustees concurs with the intentions expressed above and therefore enacts the following policy to ensure a smooth implementation.

The following public records shall be excepted from the statute by action of the Board of School Trustees.

1. The work product of an attorney representing the Board of School Trustees.
2. Test questions, scoring keys, and other examination data used in administering an examination for employment or academic examinations before the examination is to be given, or if it is to be given again.
3. Records that contain intra agency or interagency advisory or deliberative material that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.
4. Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.
5. Personnel files of employees of the school district other than public information specifically stated in the statute.
6. Computer programs, computer codes, computer filing systems, and other software that are owned by the school district or entrusted to it.
7. Records specifically prepared for discussion or developed during discussion in an Executive Session.
8. The identity of a donor of a gift made to the school district if the donor requires nondisclosure of his or her identity as a condition of making the gift.

The superintendent of schools is designated as the person responsible for public records, release decision, and will be referred to as the "records access officer." If a record of the school district contains disclosable and nondisclosable information, the superintendent of schools or his or her designee shall separate the material that may be disclosed and make it available for inspection and/or copying.

Any requests for review or copying of public records may be made to the office of the superintendent during regular working hours. A form containing the name of the person requesting review of the records, that person's address, and the specific records to be reviewed must be completed and presented prior to record review. Copying facilities are available for any record and may be copied at a cost to be determined by the business office. These fees are payable before any record may be duplicated and may be paid in cash or money order.

Effort will be made to provide review of records at the time a request is properly presented. However, a school district employee may have up to 24 hours in which to respond to any request. Whenever a request is received on a Friday or on a day preceding a legal holiday, the records access officer shall have until the same hour on the next business day in which to respond to the request. If a record is requested which is not available, the records access officer will certify on the request form that the school corporation does not possess the record or that it could not be found after diligent search. A copy of the request form will be returned to the requestee containing that information. Mail requests should be addressed to the superintendent of schools, and will be honored upon payment of the regular fee for copying plus postage to mail the copy(ies) to the requestee, provided the requested record is sufficiently identified to make compliance practicable. Responses to written requests are to be made within seven (7) days of receipt.

In any decisions regarding the compliance with the Indiana Access to Public Records Act, the superintendent of schools, acting as the records access officer, shall be guided first by the Indiana Access to Public Records Act and amendments, if any, second by state and federal law regarding privacy, confidentiality, and disclosure requirements of certain public records, and third by the Board of School Trustees' policy which excludes certain records from disclosure. Whenever a request for disclosure is denied by the superintendent of schools, the person making the request may appeal the decision to the Board of School Trustees of the Plainfield Community School Corporation.

LEGAL REF: I.C. 5-14-3

SOURCE: Plainfield Community School Corporation  
Plainfield, IN

ADOPTED: 07/10/90, 10/10/13