

Public's Right to Know/Freedom of Information

The Board recognizes the importance of a well-informed public to the operations of the school unit. The Board shall comply with all applicable sections of Maine's Freedom of Access Act. Except as otherwise provided by statute, all Board proceedings will be open to the public, any person will be permitted to attend, and any records or minutes of such proceedings that are required by law will be made promptly and will be open to public inspection.

The Board designates the Superintendent, and to act in the absence of the Superintendent her/his designee, as the Public Access Officer for RSU 40/MSAD 40.

Board agendas and minutes, proposed and approved Board policies, annual budget reports, student handbooks and Board member Freedom of Access training documentation/certificates will be available for immediate inspection and/or copying in the Superintendent's office. Requests for all other public records will be made, preferably in writing, to the Superintendent, specifying the records desired for inspection/copying. The Superintendent/designee may request clarification concerning which public record or records are being requested.

The Public Access Officer/designee shall acknowledge receipt of a request for inspection and/or copying of public records within a reasonable period of time, that being five working days whenever feasible.

If the request is denied, the Public Access Officer/designee shall inform the requestor in writing within five working days of the request and shall state the reason for denial. Otherwise, inspection and/or copying may be scheduled to occur within a reasonable period of time following the request at a time that will not delay or inconvenience the regular activities of the District.

The school unit is not required to create a record that does not exist.

Electronically Stored Public Records

In compliance with the Freedom of Access Act, RSU 40/MSAD 40 shall provide access to an electronically stored public record as a printed document or the record or in the medium in which the record is stored, at the requester's option, except that RSU 40/MSAD 40 is not required to provide access to an electronically stored public record as a computer file if the school unit does not have the ability to separate or prevent the disclosure of confidential information contained in or associated with that file. RSU 40/MSAD 40 is not required to provide access to a computer terminal.

FEES:

Except as otherwise provided by law or court order, RSU 40/MSAD 40 may charge fees as follows:

- A. A reasonable fee to cover the cost of copying.
- B. A fee of \$15 per hour after the first hour of staff time per request to cover the actual cost of searching for, retrieving, and compiling the requested public record. Compiling the public record includes reviewing and redacting confidential information
- C. If conversion of a public record into a form susceptible of visual or aural comprehension or into a usable format is required, a fee to cover the actual cost of conversion.
- D. A charge for the actual mailing costs to mail a copy of the record.
- E. No fee will be charged for inspection of public records, unless the record cannot be inspected without being compiled or converted, in which case paragraph B or C applies.

As required by law, RSU 40/MSAD 40 shall provide the person making the request an estimate of the time necessary to complete the request and of the total cost and, if the estimated total cost exceeds \$30, will inform the requestor before proceeding. If the estimated total cost is greater than \$100, or if the requestor has previously failed to pay a fee assessed for access to the District's records, the requestor may be required to pay in advance all or a portion of the estimated cost prior to the search, retrieval, compiling, translation, and copying of the public record.

The Public Access Officer is directed to develop and implement such administrative procedures as may be necessary to carry out this policy.

Legal Reference: 1 M.R.S.A. § 401 et seq.

Cross Reference: JRA – Student Educational Records BEC – Executive Session

Adopted: December 4, 2008

Revised: October 15, 2012

Reviewed: June 16, 2015