

Weakley County Board of Education



Monitoring:

Descriptor Term:

School Board Records

Descriptor Code:

1.407

Issued Date:

5/3/2018

1
2 The Director of Schools or designee shall maintain all school district records required by law,
3 regulation, and board policy. Any citizen of Tennessee, state official, or other authorized person
4 shall be permitted during business hours to inspect public records maintained by the school
5 district unless otherwise prohibited by law. Any citizen of Tennessee may request in writing and
6 receive copies of open public records subject to the payment of reasonable cost.¹²³⁴

7
8 No records pertaining to individual students will be released for inspection by the public or any
9 unauthorized persons. In addition, information, records, and plans related to security and safety
10 will not be released for public inspection.⁵

11
12 All requests to inspect or receive copies of records shall be submitted to the district's public
13 records request coordinator, the Assistant Director of Schools.⁶ The public records request
14 coordinator shall forward requests for inspection or copies of records to the appropriate records
15 custodian, the Director of Finance.⁶

16
17 Prior to producing any record, the records custodian shall ensure confidential information is
18 redacted. Original documents remain intact and confidential information in copies produced for a
19 requestor shall be redacted. The Director of Schools shall develop a procedure to redact
20 confidential information.

21
22 **REQUESTS FOR INSPECTION²**

23
24 Citizens requesting to inspect public records shall submit their request to the district's public
25 records request coordinator during normal business hours. Requests may be made in person or by
26 telephone, fax, mail, or email. The coordinator shall submit the information to the appropriate
27 records custodian. The records custodian will contact the citizen and indicate when the records
28 will be available to inspect.

29
30 If the records cannot be made available within seven (7) business days, the records custodian
31 shall provide a records production letter indicating the time needed to complete the request.

32
33 If the request to inspect is denied, the records custodian shall provide the citizen with a records
34 request denial letter indicating the basis for the denial.

35

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 10-7-504(p)

⁶ [Policy Related to Reasonable Charges a Records Custodian May Charge for Frequent and Multiple Requests for Public Records](#), Tennessee Comptroller of the Treasury.

1 At the time of inspection, the citizen shall provide a government-issued photo identification card
2 with his/her address prior to inspecting the records. The names of persons inspecting records and
3 the date of inspection shall be recorded.

4

5 **REQUESTS FOR COPIES²**

6

7 Citizens requesting copies of public records shall complete and submit a records request and a
8 government-issued photo identification card with the citizen's address to the district's public
9 records request coordinator during normal business hours. The coordinator shall submit the
10 records request to the appropriate records custodian.

11 The records custodian shall provide an estimate of the reasonable costs to produce the requested
12 records. The Tennessee Comptroller of the Treasure, Office of Open Records Counsel Schedule
13 of Reasonable Charges⁷ shall be used to determine the reasonable cost. The records custodian
14 will provide the citizen with an invoice detailing the charges. The citizen shall pay the estimated
15 reasonable costs by cash or money order prior to the district producing the copies.

16

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

19

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

22

23 **FREQUENT AND MULTIPLE REQUESTS**

24

25 When the total number of requests for copies made by a requestor within a calendar month
26 exceeds four (4), the requestor may be charged a fee for any and all labor that is reasonably
27 necessary to produce copies of the requested records. Prior to charging a reasonable fee, the
28 requestor shall be notified of this policy. The Tennessee Comptroller of the Treasury, Office of
29 Open Records Counsel Schedule of Reasonable Charges⁷ shall be used to determine the
30 reasonable cost.

31

32 **DENYING REQUESTS FOR NONCOMPLIANCE⁸**

33

34 *Requests to Inspect a Public Record*

35

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

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

40

Legal References:

⁷ [Policy Related to Reasonable Charges a Records Custodian May Charge for Frequent and Multiple Requests for Public Records](#), Tennessee Comptroller of the Treasury.

⁸ Public Acts of 2017, Chapter No. 233

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

4
5 *Requests for Copies of Public Records*

6
7 The district shall deny a request for copies of a public record from any citizen that has:
8 a. been provided with an estimate of the reasonable cost to produce the requested
9 records;
10 b. agrees to pay such estimated reasonable cost prior to production of the records; and
11 c. fails to pay the actual cost after the records have been produced.

12
13 Additional requests from this citizen shall be denied until the original cost is paid.

14
15 **RECORDS RETENTION**

16
17 The Director of Schools and/or designee(s) shall retain and dispose of school district records in
18 accordance with the following guidelines⁹:

- 19
20 1. The Director of Schools and/or designee(s) will determine if a particular record is of
21 permanent or temporary value in accordance with regulations promulgated by the
22 County Public Records Commission and the Tennessee Institute for Public Services
23 records manual;¹⁰
24 2. Temporary value records which have been kept beyond the required time may be
25 recommended to the Public Records Commission for destruction;¹¹
26 3. The records that the State Librarian and Archivist desire to preserve in their facilities
27 will be transferred to the State Library and Archives. The temporary value records
28 rejected by the State Library and Archives may be transferred to another institution or
29 destroyed;^{11,12}
30 4. Permanent records will be kept in some usable form (digital, printed, microfilm, etc.).
31 If the Director of Schools desires to destroy the original permanent record, these
32 records must be reproduced by microfilming or some other permanent reproduction
33 method. Permission to destroy any original permanent record after microfilming
34 follows the same procedure noted above for temporary records; and
35 5. The Director of Schools shall establish procedures to safeguard against the unlawful
36 destruction, removal, or loss of records.¹³

37
38

Legal References:

⁹ TCA 10-7-503; Public Acts of 2017, Chapter No. 233; TCA 49-2-104

¹⁰ TCA 10-7-401; TCA 10-7-406

¹¹ TCA 10-7-404; TCA 10-7-413

¹² TCA 10-7-414

¹³ TCA 39-16-504

1 **DISTRICT PUBLIC RECORDS REQUEST COORDINATOR:**¹⁴

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3

Mr. Jeff Kelley

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Assistant Director of Schools

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731.364.2247

Legal References:

¹⁴ Public Acts of 2017, Chapter No. 233

Cross References:

2.701 Financial Reports and Records

5.114 Personnel Records

6.600 Student Records