

TOPEKA PUBLIC SCHOOLS	REGULATION NUMBER: 2485-1
SUBJECT: OPEN RECORDS	DATE OF ISSUE: 12/7/83 <hr/> REVISIONS: 5/18/93; 07/16/04; 03/18/05 <hr/> PREPARING OFFICE: SCHOOL DISTRICT ATTORNEY

I. PURPOSE:

To establish procedures to implement K.S.A. 45-215 et seq (Kansas Open Records Act) and to allow inspection and copying of the public records of the district as required by law.

II. PERSONNEL AFFECTED:

A. All employees of the district

III. PROCEDURE:

A. The Board of Education has designated the clerk of the Board as the official custodian of all open public records of the school district. All requests for inspection and/or copying of open public records must be filed in writing with the clerk of the Board or his/her designee, 624 SW 24 Street, Topeka, KS. The form attached to this regulation shall be used for this purpose. The clerk may require proof of identity of any person requesting access to open public records.

1. Each request for access to open public records shall be acted upon as soon as possible but not later than the end of the third business day following the date the request is received.

2. If access to the open public records requested cannot be granted by the end of the third business day following receipt of the request, the clerk will provide a detailed explanation of the cause for further delay and the place and earliest time and date the records will be available for inspection.

3. If access is denied, the clerk shall, upon request, provide a written statement of the grounds for the denial and shall cite the specific provision of law under which access is denied. Said written statement shall be provided to the requestor not later than the end of the third business day following the date the request for the statement is received.

B. All open public records will be available for inspection Monday through

12/07/83

Revisions: 05/18/93; 07/16/04; 03/18/05

Topeka Public Schools

OPEN RECORDS (continued)

Friday, 7:30 a.m. to 4:30 p.m. (except on the holidays and nonduty days outlined in the district's academic calendar).

- C. **No original public record shall be removed from any school district facility without the written permission of the clerk. Copies of open public records shall be made while the records are in the possession, custody, and control of the administrator of the department that maintains the records and shall be made under the supervision of such administrator.**

- D. **No fees shall be charged for inspection and/or copying of open public records by persons who are performing services for the school district, including: Board members; the District Citizens Advisory Council; employees; volunteers; consultants; professionals (including attorneys, architects, engineers and physicians); school site advisory councils; or school district committees appointed by the Board of Education or the superintendent. No fee shall be charged to all other persons who only inspect open public records, unless in the discretion of the clerk, extraordinary staff time is required to find and gather or research the records being requested, in which case the hourly wage actually expended by staff shall be charged. A fee of twenty-five cents (\$.25) per page shall be charged for copies of records, which includes the cost of photocopying materials, equipment depreciation, and ordinary staff time. If, in the discretion of the clerk, extraordinary staff time is required to find, gather, research, or inspect the records to be inspected or copied, the hourly wage actually expended by staff shall also be charged. The actual printing or purchase cost of reports, pamphlets, books, or other documents published by the school district shall be charged as the fee for extra nonarchival copies of such publications. The clerk shall also charge a fee for the actual expense incurred to deliver copies of open public records by long-distance fax (facsimile), U. S. mail, or other delivery service. All fees charged by the clerk shall be collected before the requestor is allowed to view the open public records or before copies are delivered to the requestor. These fees shall be remitted to the treasurer on a monthly basis and will be credited to the General Fund.**

- E. **Personnel records are not open public records; however, the Human Resources Department frequently receives requests from employees, former employees, or lawyers (by notarized release or subpoena) for copies of personnel files. In order to defray copying expenses, the general director of human resources department is hereby authorized to charge twenty-five cents (\$.25) per page for all copies made. Current employees will not be charged for the first five pages of any copies requested by the employee. Additional charges may be made for staff time, computer time, long-distance faxes or postage.**

OPEN RECORDS (continued)

Request for Inspection and/or Copying of Open Public Records

All requests must be filed in writing with the Custodian of Public Records (Clerk of the Board or his/her designee) at 624 SW 24th Street, Topeka, Kansas 66611 on this form.

All records will be available for inspection Monday through Friday, 7:30 a.m. to 4:30 p.m., except holidays and nonduty days outlined in this District's academic calendar.

All persons requesting inspection and/or copying of open public records must provide the following certification as required by K.S.A. 45-230 and K.S.A. 45-220(c):

Name _____ **Address** _____

City, State, Zip Code _____ **E-Mail** _____

Telephone No. (_____) _____ **FAX** _____

I have not requested access to the open public records of Unified School District No. 501 for the purpose of selling or offering for sale any property or services to persons whose names and addresses are obtained from the records nor will I sell, give, or otherwise make available such information to any other person intending to do so.

Date _____ **Signature** _____

I want to **فحص** inspect **فحص** copy the records listed below.

Description of Records Requested:

If by the end of the third (3) business day following receipt of this request, access to the public records requested is not granted, the Clerk will provide a detailed explanation of the cause for further delay and give notice of the place and earliest time and date the records will be available for inspection and/or copying. If access is denied, the Clerk will, upon your request, provide a statement of the grounds for denial.

Clerk Comments:

When appropriate, a twenty-five cents (\$0.25) per page charge will be levied on requests to cover the cost of making copies. Additional charges may be made for staff time, computer time, and postage. Fees shall be collected in advance of releasing material. Fee: