



Board Policy

## Access to Public Records and Freedom of Information Act (FOIA) Requests

Philosophy  
Policy 1004

### Policy Statement

Individuals or agencies shall be granted access to the District's public records under the following terms and conditions:

- Requests shall be in writing, signed, and shall clearly identify the specific public record sought.
- Personally identifiable information shall not be available to the public.
- Review of the requested documents shall be during regular business hours and in the presence of a district employee.
- No original documents shall be removed from District property.
- Requested documents may be copied in existing form.
- The requester shall pay a reasonable charge for the copying, as established by District procedures.
- Documents may be provided in electronic format with the same per-page charge as copied documents.
- In non-routine circumstances in which a District employee with specialized technology skills must access information, a charge will be based on that employee's hourly overtime wages or an hourly rate based on an annual salary.
- Requests for documents shall not interrupt the normal operations of the district.
- Requests shall be kept on file for three years.
- All requests shall be filled within fifteen business days unless it is impractical to do so. In case of delay, the Superintendent shall approve an extension and shall notify the requesting party in writing of the reason for the delay and the day, date, and time on which the records shall be available.

### Definitions

Public records: Those records as defined by Delaware Code as those the District owns, made, used, retained, received, produced, composed, drafted, or otherwise compiled and collected relating in any way to public business, public purposes, or the public interest. Requests which require an employee to create a record from existing records are not subject to FOIA or this policy.

### Responsibility

The Superintendent shall develop procedures for handling FOIA requests and appoint an FOIA Officer. The FOIA Officer shall be responsible implementing the procedures and for updating the Superintendent and Board on any changes in FOIA laws or regulations.  
The Superintendent shall prepare an annual report on FOIA requests for the Board.

<b>References</b>	29 Del. C. §10001-10003 Related Policies: 5004 Public Information Related Documents: Red Clay Consolidated School District Freedom of Information Act Request Form	
<b>Adoption Date</b>	03/19/2008	
<b>Revision/ Reapproval Date</b>	07/10/2013 06/20/2018	