

PUBLIC RECORDS REQUESTS

Below is Pitt County Schools (PCS) Procedure for handing public records requests and a fee schedule to cover the cost of responding to public records requests.

I. Definition of a Public Record

The definition of a public record follows the North Carolina General Statute definition contained in § 132-1. A record is any document, paper, film, electronic data, or other material made or received in connection with the business of the School District. The public's right of access applies to existing records in any form and includes the right to obtain a copy of the record. The school system is not required to create or compile a record that does not exist at the time of the request.

Confidential records are not open to the public. These include personnel and student records, records pertaining to such matters as may be discussed in closed session, and any other records required to be kept confidential by law or exempt from the North Carolina Public Records Law (N.C.G. S. Chapter 132).

II. How to Request Public Records

- A. Requests to inspect or secure copies of records shall be submitted to the Office of Public Information. For your convenience, contact information is provided below:

Delivery & Mailing address:

Pitt County Schools
Office of Public Information
Third Floor
1717 West 5th Street
Greenville, NC 27834

- B. Requests received by individual schools and/or departments will be forwarded to the PCS Office of Public Information for processing.
- C. Records provided in response to a public records request will be those documents of record available for disclosure, as of the date of the request.

III. What to Expect after a Request is Made

- A. The Office of Public Information will make every effort to provide an initial response to the request for public records within five (5) business days of

receiving the request. The initial response will include any clarifying information needed, cost estimates for providing records if known and an estimated delivery time of final records. Should the request be received after 5 p.m., the request will be considered received on the next business day.

- B. Depending upon the nature of request, the Office of Public Information may respond initially by:
1. Producing the record after the payment of applicable fees (See fee schedule);
 2. Acknowledging the PCS' receipt of the request accompanied by an estimate of the time necessary for further response;
 3. Denying the request accompanied by an explanation of the basis for the denial;
 4. Requesting a deposit; or
 5. Requesting clarification of the request.
- C. A public disclosure request is not continuing in nature. In the event additional records are created after the date of the requestor's original public records request, the requestor will need to submit a new request. Any records or portions of records made available by PCS will be provided to the requestor in the same format as they are kept by PCS.
- D. If the requestor specifies a format in which the records should be disclosed, the Office of Public Information will disclose the records in the requested format if: (1) it is determined that disclosable records exist, (2) PCS is capable of providing the records in the format requested, (3) the format requested is reasonable, and (4) the requestor pays all fees required by this Procedure.
- E. PCS' response to the request will be considered complete and final upon:
1. Requestor's inspection of the records;
 2. Upon notification to the requestor that the photocopies requested are available for payment and pick-up (in the event photocopies were requested); or
 3. A denial of the request.

IV. Inspection of Records

In the event a requestor chooses to inspect records, the Public Information Officer will make such records available to the public during regular business hours and

within a reasonable time period. No person will remove original copies of public records from the offices of the district.

V. Denial of Requests & Appeals

- A. In the event that a request for public records is denied by the Office of Public Information, the requestor may appeal in writing to the Superintendent within fifteen (15) days of receiving the denial. Appeals may be delivered to the Superintendent by mail using the contact information listed below:

Pitt County Schools
Attn: Superintendent, Records Appeal
1717 West 5th Street
Greenville, NC 27834

- B. Decisions on appeals will be rendered in writing by the Superintendent or his/her authorized representative within ten (10) days of receipt of an appeal.

VI. Duplication and Transmission Fees

- A. Prior to the release of any public record, the Office of Public Information will collect duplication fees.
- B. The 2009-2010 school year fee schedule for copies is listed below:

8 1/2" X 11" single-sided hardcopy \$0.03
8 1/2" X 11" double-sided hardcopy \$0.05
* Color copies are an additional cost.

Compact Disk Read-Only Memory (CD-ROM) \$0.50
Duplicated site plans, architectural drawings, etc. \$5 per printed sheet

* The Office of Public Information will update and post duplication fees as appropriate.

- C. A special services charge may be assessed if the request requires extensive use of information technology resources or extensive clerical or supervisory assistance by personnel in the school system to produce the record in the medium requested, or if the request results in a greater use of information technology resources than normally used by the school system for reproduction of the volume of information desired.
- D. A requester has the option to pick up his/her requested copies of documents at a pre-arranged time from the Office of Public Information during normal

PCS business hours. However, if mailing is requested, an additional fee of actual mailing costs may be charged to the requester. The mailing fee shall be in addition to any other copying fee provided for herein.

VII. Deposits for Records Requests

- A. In the event that it is estimated that the duplication, transmission, etc. fees applicable to a particular records request exceed \$25.00, the Office of Public Information, at its discretion, may require the requestor to deposit a sum equal to 75 percent of the estimated cost prior to duplication of the records.
- B. In the event that a deposit is required, the Office of Public Information will notify the requestor of the necessity of the deposit. In the event that the actual duplication and deposit fees are less than the amount deposited by the requestor, the Office of Public Information will return the sum in excess of the actual amount to the requestor.

VIII. Payment of Required Fees

Payment of duplication and delivery fees will be made prior to the release of public records. When required, the payment of a deposit will be made prior to the duplication of any records (see VII above). All payments will be made by cash, money order, or certified check payable to Pitt County Schools.

Payment will be made in person to the Office of Public Information on the third floor of Pitt County Office Building, 1717 West 5th Street, Greenville, NC 27834.

IX. Failure to Pay Required Fees

- A. In the event a requestor fails to pay a bill for fees incurred within 30 calendar days, the Office of Public Information will require the requestor to pay in full the past due amount owed before it will begin processing a new request or a pending request from the delinquent requestor.
- B. In addition, the Office of Public Information may require advance payment for any future requests of the full amount of the estimated fee before the agency begins to process a new request or a pending request from that requestor.

- C. If the Office of Public Information is unable to collect the duplication fees from the requestor, PCS may, upon providing thirty (30) calendar days prior written notice to the requestor, destroy the duplication set of records made available for the requestor in order to avoid storage concerns. Although the records are destroyed, the requestor will still be made responsible for the costs PCS incurred in duplicating the records originally requested by the requestor.

Last Revision/Adoption: March 18, 1996.

Legal References: North Carolina Statutes 132-1 to -9.

Cross References: None