

<p style="text-align: center;">TUSD Tucson, Arizona</p> <p style="text-align: center;">POLICY REGULATION</p>	<p>REGULATION TITLE: Public's Right to Know / Freedom of Information</p>
	<p>CODE: KDB-R</p>

1. The Office of Public Records at the Morrow Education Center is designated as the Custodian of Records for all public documents, and all requests for public documents should be directed to that office. Individuals who wish to review or receive copies of public documents in the possession of the school district should complete a written request using the Request for Public Documents form (see Exhibit KDB-E1).

District publications are exempt from the requirements of this Administrative Regulation. District publications should be obtained from the Department which publishes the document.

2. Requests for reviewing and/or receiving copies of public documents will be accepted during normal business hours at the Morrow Education Center.
3. Requests will be evaluated and a response will be provided in a reasonable time and will be scheduled so as not to interfere with the normal and necessary operation and functions of the District. Where records are available online, the Custodian of Records may direct the requesting party to the appropriate section of the TUSD website in lieu of providing hard copies of records. Where responsive records do not exist or are not available, the requesting party will be so informed.
4. Inspection and review of Requests for Public Documents forms and the requested documents themselves may be made by the Governing Board and appropriate administrators prior to fulfilling the request.
5. The District will charge fifty cents (\$0.50) per page to photocopy requested records. Costs for CDs will be twelve dollars (\$12.00) per CD. Costs for other media, e.g., blue prints, will be actual cost. Payment by the requesting party is due upon receipt or inspection of the public documents. A minimum charge for commercial requests is five dollars (\$5.00). Where the requesting party asks for records to be sent by mail or facsimile, the District may require that party to pay in advance for copying charges in addition to actual postage or transmission costs. Requests to have documents sent by electronic mail will be honored only where the requested documents exist in an electronic, read-only format.

6. The following documents are public records which are normally available to a requesting party:
 - a. Records of actual expenditure of public monies;
 - b. Information which memorializes an official transaction or reflects the official activities of public agencies, officials or employees. This would include Board Agenda items, Governing Board agendas, all supporting documents available to the Governing Board in open meeting, and Governing Board minutes;
 - c. Governing Board Policies and Administrative Regulations;
 - d. Orders, pleadings and other court documents once filed in court and documents which are recorded with the County Recorder;
 - e. Compilation of statistics and other official records about the District which are received from other governmental entities;
 - f. Personnel records generally, but not including personal information or teacher evaluations.

7. The following documents are protected from disclosure by statute, Attorney General Opinions, and common law:
 - a. Individual student records, except directory information when a parent/legal guardian has not withheld consent to release information;
 - b. Communications between attorney and client;
 - c. Documents involving civil or criminal investigations if disclosure will seriously impair or hinder the investigation;
 - d. Discussions, records and minutes of Governing Board executive sessions;
 - e. Records and information transcripts of a school doctor, nurse, certified psychologist, social worker, counselor or teacher as they relate to students;
 - f. Information which, if disclosed, would defeat the competitive bidding process. Once bids are opened, information should be available for inspection or request. Such information as trade secrets and financial statement of contractors submitting bids may be withheld.

8. Documents that are requested will be evaluated in terms of established standards of privacy, confidentiality, impact on the effectiveness of the school district in the

performance of its duties, detriment to the best interest of the District, and the harmful effect on the official duties of the District.

9. Only documents already in existence will be provided in response to a request for public documents. The District will not create new documents in response to such a request.
10. The District will provide only documents, and only in response to a request for public documents. The Office of Public Records will not answer questions regarding District business or requests for information.
11. The District reserves the right to refuse to accommodate requests that are determined to be abusive or harassing.
12. Community members may use the process described in Governing Board Policy KE, Public Concerns and Complaints, to appeal any decision made pursuant to this policy.
13. Requests to review or receive copies of public documents which are requested by a Governing Board or Superintendent appointed committee should have the request for documents memorialized as official business in the committee's minutes. The request should be forwarded to the Custodian of Records by the District liaison who was appointed to assist the committee.

Revision: June 23, 2010
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Reviewed: July 2, 2010 [Friday Report]

Legal Ref: *A.R.S. §39-121, et seq.,
The Public Records Law, Carlson v. Pima County, 141 Ariz. 487
(1984)
Arizona Attorney General Opinions I70-1; 72-29-L; R75-781; I83-006*

Replaces TUSD Regulation # 1150