

## HUDSON SCHOOL DISTRICT

<b>POLICY CODE: EH Public Use of School Records</b>	<b>FIRST ADOPTION: 03/02/2020</b>
<b>RELATED POLICIES: EHB</b>	<b>LATEST REVISION: 03/02/2020</b> Page 1 of 2

*Category: Recommended*

The Superintendent is hereby designated the custodian of all District governmental records, including but not limited to, minutes, documents, writings, letters, memoranda, e-mails, or other written, typed, copied, electronic or developed information received, possessed, assembled, or maintained by this District.

1. All requests for governmental records are to be forwarded to the Superintendent or designee immediately upon receipt. If the requested governmental records exist, are properly disclosed to the public, and are readily available, the requested records shall be promptly made available for inspection or if requested, copies provided. No fee shall be charged to inspect governmental records. A fee may be charged for copies which reflects the actual cost of making a paper copy or the actual cost of the electronic media onto which a copy is placed for delivery.
2. If the existence or location of the requested governmental records is uncertain, if a determination needs to be made as to whether some or all of the requested records are confidential or exempt from disclosure, if legal advice is needed regarding the request, or if redacted copies must be prepared to provide the properly disclosed records while preserving the confidentiality of information which is not properly disclosed, the Superintendent or designee will within five (5) business days of the request respond to the requestor in writing acknowledging receipt of the request and providing a statement of the time reasonably necessary to determine whether the request shall be granted or denied.
3. The Superintendent or designee may contact the person making the request, if the request is unclear or will be time consuming and onerous to fulfill, to determine if the person will clarify the request or agree to narrow the request. Any clarification or narrowing of the request shall be documented in writing and a copy provided to the person making the request.
4. In accordance with RSA 91-A:4, if the Superintendent or designee finds the requested governmental records exist and to be public in nature, he or she shall notify the person making the request and make the records or a copy of the records available for inspection. If requested, copies will be provided at cost. If the requested governmental records do not exist the party requesting the information will be informed in writing that the requested governmental records do not exist.
5. If the Superintendent or designee finds the information not to be public in nature, he or she shall inform the requesting party in writing that the governmental records requested are not a public record and cannot legally be disclosed.
6. If the Superintendent or designee is unable to ascertain whether or not the information

requested is public in nature, or whether the Right-to-Know law requires preparation of a copy of the governmental record that discloses public information while redacting confidential information/information exempt from disclosure, he or she is hereby authorized to request, on behalf of the Board, an opinion from the Board's attorney as to the nature of the information. Such opinion requests will be made promptly following the request for the information. The Superintendent or designee shall notify the person making the request in writing that additional time will be needed to determine if the request will be granted or denied. Upon receipt of an opinion from legal counsel, the Superintendent or designee will promptly notify the person making the request of the outcome of the determination and where legally appropriate make the records available for inspection or copying.

**Legal References:**

*RSA 91-A:4, Minutes and Records Available for Public Inspection*