

The board designates the executive director as its Freedom of Information Officer. The Freedom of Information officer shall have the authority to establish and maintain a system of records in accordance with the Kansas Open Records Act and other applicable laws. The board further assigns the clerk to handle requests for records and to serve as the custodian of the records. The custodian shall prominently display and distribute or otherwise make available to the public a brochure in the form prescribed by the local Freedom of Information Officer.

Types of Records

A public record means any recorded information, regardless of form or characteristics, which is made, maintained, or kept by or is in the possession of the service center, including those exhibited at public board meetings.

Central Office Records

Records maintained by the executive director shall include, but not be limited to, the following: financial, personnel, and property (both real and personal) owned by the service center.

Learning Center Records

Records maintained by the program coordinators shall include, but may not be limited to, the following: student records, and personnel records.

Public Access

All records, except those subject to exception by the Kansas Open Records Act, shall be open to inspection by the general public during regular office hours of any service center site or the service center office. The executive director will establish procedures for making records available on normal business days when service center offices are closed. The service center may charge and require advance payment of a fee for providing access to or furnishing copies of public records.

Requests for access to open records shall be made in writing to an official custodian of service center records. The official custodian shall examine each request to determine whether the record requested is an open record or is subject to an exception of the Kansas Open Records Act that would allow the record to remain closed. The custodian may also refuse to provide access to a public record or to permit inspection if a request places an unreasonable burden in producing public records or if the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the service center. The custodian shall either grant or deny each request.

If the custodian does not grant the request, the person requesting the record shall receive a written explanation of the reason for the denial within three days of the request, if an explanation is requested. If the requester disagrees with the explanation, the freedom of information officer shall settle the dispute.

Each request for access to a public record shall be acted upon as soon as possible, but not later than the end of the third business day following the date that the request is received. If the request is not acted on immediately, the custodian shall inform the requester, within the three-day window, when and where the open record will be made available.

Each custodian shall file all requests and their dispositions in the appropriate office and make reports as requested by the executive director or the board.

Copies of Records

Copies of open records shall be available upon written request, unless otherwise specified in Kansas or federal law. Requestors may only make abstracts or obtain copies of public records to which they have access under the Kansas Open Records Act. The service center shall not be required to provide copies of radio or recording tapes or discs, video tapes, films, pictures, slides, graphics, illustrations, or similar audio or visual items or devices, unless such items or devices were shown or played during open session of a service center board meeting. Similarly, the service center shall not be required to provide such items or devices which are copyrighted by a person other than the board. Furthermore, nothing in the Kansas Open Records Act requires the service center to electronically make copies available by allowing a requestor to obtain copies by inserting, connecting, or otherwise attaching an electronic device provided by the requestor to the computer or other electronic device of the service center.

Advance payment of the expense of providing access to or furnishing

copies of open records shall be borne by the requester. Under no circumstances shall the documents be allowed out of their usual building location without approval of the official custodian.

The board may prescribe reasonable fees for providing access to or furnishing copies of public records subject to the following.

- In the case of fees for copies of records, the fees shall not exceed the actual cost of furnishing copies, including the cost of staff time required to make the information available and printing fees of the current cost per page, as applicable.
- In the case of fees for providing access to records maintained on computer facilities, the fees shall include only the cost of any computer services, including staff time required.

Revenue from copying open records will be deposited in the service center's general fund.

Disposition

All service center office records shall be kept for at least the minimum length of time required by law.

The clerk is designated as the official custodian of all board records maintained by the service center. The chief financial officer is designated as official custodian of all service center office records maintained by the service center. Each learning center program coordinator is designated as official custodian of all records maintained at the program level. In addition to those records required by law, the clerk shall be responsible for preparing

and keeping other records necessary for the service center's efficient operation.

Service center employees shall follow the guidelines found in the student records policies. (See IDAE)

Approved: SCKESC Board of Directors 10/2008, 9/2014, 5/2016, 3/2017, 8/2020

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