

Concord School District Policy #248

Response to Public Records Requests

The Superintendent is hereby designated the custodian of all records, minutes, documents, writings, letters, memoranda, or other written, typed, copied, or developed materials possessed, assembled, or maintained by this District.

1. All requests for public information are to be forwarded to the Superintendent immediately upon receipt. The Superintendent or designee shall review the records in their entirety and shall make a determination whether or not the records requested are public in nature or contain confidential information (Ref. **RSA 91-A:4**). If public, the Superintendent shall provide the records in a timely manner which does not disrupt the operation of the schools.
2. In accordance with **RSA 91-A:4**, if the Superintendent finds the records to be public in nature, he/she shall direct that they be reproduced on the premises. If it is possible to provide the records electronically, this format shall be preferred. The party requesting the records is to be charged the cost of reproduction and any other expenses entailed in locating and retrieving the records. If the Superintendent is unable to make records available for immediate inspection and copying, he/she shall, within five (5) business days of the request, make such records available or furnish written acknowledgement of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If the records are in active use or otherwise unavailable, the party requesting the records will be notified within five (5) business days upon them becoming available.
3. If the Superintendent finds the records not to be public in nature, per **RSA 91-A:5**, he/she shall so inform the requesting party within five (5) business days that the records are exempt from disclosure.
4. If the Superintendent is unable to ascertain whether or not the records requested are public in nature, he/she is hereby authorized to request, on behalf of the School Board, an opinion from the Board's attorney as to the nature of the records. The Superintendent shall notify the person requesting such records that an opinion is to be requested of the attorney and shall notify such person immediately upon receipt of an answer from the attorney.

Legal References:

RSA 91-A:4, Minutes and Records Available for Public Inspection
NH Code of Administrative Rules – Section Ed. 306.04(a)(4), Records Retention

Adopted October 2004. Revised: May 4, 2009; July 10, 2017
Corresponds to NHSBA Policy BEDG-R