

Descriptor Term:

**KBA**

**OPEN RECORDS POLICY  
(PUBLIC'S RIGHT TO KNOW)**

ISSUE DATE: **5-18-98**  
REVISED: **11-15-12**

**Section 1. State and Local.** The formation and determination of public policy is public business and shall be conducted at open meetings, except as otherwise provided by law. All public records are to be public property and any person shall have the right to inspect and/or obtain a reproduction of any public record of the school district in accordance with written procedures provided for herein, unless exempted by law.

All requests for public documents under this policy shall be made in writing on the form provided herein. The form shall be submitted to the Superintendent's office at the administrative offices of the school district located at 4700 Colonel Vickrey Road, Vancleave, Mississippi 39565 during regular office hours. All requests for documents shall be accompanied by a \$25.00 deposit which shall either be refunded to the requestor if the request is later withdrawn, or applied to the total costs associated with the request as the case may be. The deposit requirement may be waived by the Superintendent of Education if the nature of the request does not warrant a deposit, or for any other reason or circumstance that in the sole discretion of the Superintendent would warrant such a waiver of deposit. Upon receiving a request for public documents hereunder, the school district will provide the requestor of such documents with an estimate of the total cost of providing the documents requested no later than three (3) working days after receipt of the request. The estimated cost of providing the documents requested shall be based upon the actual cost per hour for research by the district employee and copying costs of no less than .55 per page. The guidelines for a request of copies of student records and associated fees are described in board Policy JR.

Such inspection, copy, or reproduction of said public records may be available immediately or shall be available no more than seven (7) working days following the written request for such records. If the District is unable to produce a public record by the seventh (7<sup>th</sup>) working day after the request is made, the District will provide a written explanation to the person making the request stating that the record requested will be produced and specifying with particularity why the records cannot be produced within the seven-day period. Unless there is mutual agreement in writing between the parties to extend the time for production of the requested records, the date for the District's production of the requested records shall not be any later than fourteen (14) working days from the receipt by the school district of the original request.

If the requested materials are denied by the district, such denial shall be stated in writing and signed by the board chairperson and shall contain a statement of the specific reason(s) for the denial. Such denial of information shall be kept at the district Central Office and be available for inspection during regular office hours to any person upon written request. Said materials shall be preserved for three (3) years.

Items which contain trade secrets or confidential commercial materials shall not be subject to inspection, unless the third party approves or a specific court order is provided.

Said public records which are available to the public include, but are not limited to:

1. Employment Verification - Verification of employment, such date of employment, position, and school, by telephone or in writing, is allowed with written permission of

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the employee.

2. Salary Information - Verification of salary is released only upon written request from an agency with the employee's signature authorizing such release.
3. Insurance Coverage Verification - Verification of insurance coverage by phone or in writing is permissible without the signature of the employee.
4. Any employee information requested by state or federal agencies will be released with or without consent of employee involved. (Example: IRS, Employment Security Commission, Social Security Commission.)

All provisions of this policy shall not be construed to conflict with, amend, repeal or supersede any constitutional or statutory law or decision of a court of this state or of the United States.

The following are exceptions to this policy of the public's right to know.

1. Personnel records and applications for employment.
2. Test questions and answers which may be used in employment examinations.
3. Letters of recommendation for applications for employment.
4. Records of this board which represent and constitute the work product of any attorney, district attorney, or county prosecuting attorney representing a public body and which are related to litigation made by or against such public body, or in anticipation of prospective litigation, including all communications made in the course of an attorney-client relationship.
5. Records of this board which would disclose information about a person's individual tax payment or status.
6. Appraisal information concerning the sale or purchase of real or personal property for public purposes prior to public announcement of the purchase or sale, where the release of such records would have a detrimental effect on such sale or purchase.
7. Test questions which are to be used in future academic examinations.
8. Letters of recommendation for admission to any educational agency or institution.
9. Records which contain information about the location of any specific archaeological site and which, in the opinion of the district, would upon the disclosure thereof, create a substantial risk of damage or destruction to the historical value of such archaeological site or private property rights.
10. Records which are not otherwise protected by law that (a) are compiled while detecting and investigating any unlawful activity or alleged unlawful activity, the disclosure of which would harm such investigation, or (b) would reveal the identity of informants, or (c) would prematurely release information that would impede the enforcement, investigative or detection efforts in such proceedings, or (d) would

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disclose investigatory techniques , or (e) would deprive a person of a right to a fair trial or an impartial adjudication or (f) would endanger the life or safety of a public official or a law enforcement official, or (g) are matters pertaining to quality control or PEER review activities.

11. Commercial and financial information of a proprietary nature required to be submitted to this board by a firm, business, partnership, and association, corporation, individual or other like entity.
12. Records which pertain to Student Records, except as provided in Policy JR, based on the Family Educational Rights and Privacy Act of 1974.

**Section 2. Federal.** The application and all pertinent documents relating to federally-funded projects will be available for inspection by parents, teachers, and the general public at the Jackson County Board of Education office, 4700 Colonel Vickrey Road, Vancleave, MS 39565. Copies of all pertinent documents, including the law, regulations, and current projects, may be obtained by filing a written request with the Director of Federal Programs and along with payment of a printing costs as herein provided.

Legal Reference: Mississippi Code Section 25-41-1 et seq. (1976);  
Section 25-61-5 (1983)

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**JACKSON COUNTY SCHOOL DISTRICT  
12210 Colonel Vickrey Road  
Vanceleave, MS 39565**

REQUEST FOR ACCESS TO RECORDS

Date of Request: \_\_\_\_\_

Name of person making request: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Phone#: \_\_\_\_\_

I hereby request the following information maintained by the public school system.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Requests shall be specific enough to allow school district employees to identify and retrieve records requested.)

My request is to: (Check appropriate item(s).)

- \_\_\_\_\_ 1. Review the records listed above.
- \_\_\_\_\_ 2. Receive photocopies of records listed above.
- \_\_\_\_\_ 3. Mail copies of records to address shown above.

I understand that appropriate charges for searching, copying, and/or mailing shall be paid in full prior to granting this request.

\_\_\_\_\_  
Signature of person making request

**FOR DISTRICT USE ONLY:**

Date filed: \_\_\_\_\_  
Approved: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Fee: \_\_\_\_\_  
Initial of Employee: \_\_\_\_\_

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**JACKSON COUNTY SCHOOL DISTRICT  
12210 Colonel Vickrey Road  
Vanceleave, MS 39565**

DENIAL FOR REQUEST FOR ACCESS TO RECORDS

The Jackson County School District has received a request from

Name: \_\_\_\_\_

Address: \_\_\_\_\_

to review and/or copy records alleged to be maintained by this school district.

The records listed in the request were:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The district respectfully denies the request for the following reason(s):

- \_\_\_\_\_ 1. Records exempted from Open Records Act.
- \_\_\_\_\_ 2. Records not maintained in district.
- \_\_\_\_\_ 3. Records contained materials exempted from the Open Records Act.
- \_\_\_\_\_ 4. Records not identified with sufficient specificity to retrieve. Please submit another request with additional information.

Signature of School Board President

\_\_\_\_\_

Date: \_\_\_\_\_

A copy of this denial shall be kept on file in the office of the Superintendent of Education for period of three years from the date shown above.