

# REGULATION

## ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

**Related Entries:** KI

**Responsible Office:** COMMUNICATIONS OFFICE

### PROCEDURES FOR RESPONDING TO MARYLAND PUBLIC RECORDS REQUESTS

#### A. PURPOSE

To ensure Anne Arundel County Public Schools (AACPS) fully complies with the Maryland Public Information Act (Act), when responding to all public records requests.

#### B. BACKGROUND

The purpose of the Act is to enable members of the public to have access to government records without unnecessary cost or delay. AACPS, as a custodian of such government records, must provide access to all qualifying records, unless the requested records fall within one of the exceptions in the Act.

#### C. PUBLIC RECORDS

By law, any records made or received by AACPS in connection with the transaction of public business are “public records.” These include, but are not limited to, written and electronic material, photographs, photostats, films, microfilms, recordings, tapes, computerized records, maps, drawings, and both printed and electronically stored versions of e-mail messages. An otherwise private document that AACPS staff has included in its files may become a public record, unless covered by one of the recognized exceptions.

#### D. IMPLEMENTATION

##### 1. Initiating Requests

Requests for public records made under the Act must be in writing and specify the documents that are being sought, which the requestor believes exist, and are within the custody of AACPS. All requests will be handled by the AACPS Communications Office, which shall respond in accordance with the processes set forth in the Act. The Communications Office will facilitate the research and compilation of information, where applicable, to be forwarded to the requestor, unless the request is denied in accordance with the provisions of the Act.

##### 2. Privileged and Confidential Information

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Under the Act, privileged and/or confidential information is not subject to release. This includes, but is not limited to, documents and records such as student records with personally identifying information; applications of employees and prospective employees; employee home addresses and telephone numbers; personnel evaluations and employment recommendations; trade secrets; and test questions.

3. Electronic Documents

To conserve resources AACPS may elect to deliver documents responsive to a request for information in an electronic format.

4. Creation of Documents

The Act provides that existing records, not otherwise privileged or confidential, which are deemed public are to be released. AACPS is not required by law to create reports or documents to satisfy a request made under the Act, and will not do so.

5. Research, Preparation and Compilation Time

Consistent with the spirit of the Act, and with the professional and ethical standards expected to be upheld by AACPS employees, no employee shall in any way discard or destroy any documents or records, be they electronic or on paper, in order to avoid examination and potential disclosure of said documents or records in response to a request. Such conduct shall be subject to disciplinary action, up to and including termination.

Consistent with the Act, AACPS will provide two hours of labor free of charge when responding to requests. Requestors will be charged for the time involved in research, preparation, and compilation (minus the two hours allowed under the Act). When a request is anticipated to consume more than two hours of labor, AACPS will notify the requestor and provide a cost estimate. Requestor must agree to the fee amount before any research or compilation of documents or records begins. Where the cost estimate is likely to be less than \$50.00, no deposit will be required before preparation and compilation of documents or records. Where the cost estimate is likely to be \$50.00 or more, AACPS will require a deposit of 75 percent of the estimate before initiating any research, preparation, and compilation of documents or records. In all cases, fees must be paid in full before any documents are delivered.

6. Copying and Other Fees

Documents of 10 or fewer pages will be copied free of charge. As authorized by the Act, AACPS will charge a fee of 25 cents per page for documents that exceed 10 pages. AACPS personnel will be responsible for copying documents. If the copying must be done at a commercial facility for any reason, the requestor will be charged the actual fee assessed by that commercial facility. These fees are

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subject to a change in the future upon further review, with any revisions made to this regulation to be posted to the AACPS website and duly noted in any correspondence with a requestor.

As allowable under the Act, AACPS reserves the right to impose reasonable fees for other materials not listed here.

**Regulation History:** Developed by Superintendent: 10/21/09  
Reviewed by the Board: 10/21/09  
Issued: 10/21/09; Revised 03/15/17

**Note Previous Regulation History:** Issued: 12/16/09