



Guilford County Board of Education  
 Policy Committee Meeting  
 Thursday, July 20, 2017, 2:30 p.m.  
 Board Room, GCS Central Administrative Offices

Committee Members: Darlene Garrett, Chairperson      Nora Carr, Staff Liaison  
                                  Wes Cashwell  
                                  Byron Gladden  
                                  Linda Welborn

<b>AGENDA</b>	
Welcome and Introductions	<i>Discussion Leader: Darlene Garrett</i>
Review of Minutes for (06/14/17)	
Public Records Requests <ul style="list-style-type: none"> <li>• NC Legal Statutes</li> <li>• Number of Information Requests GCS received in 2016-17 and 2015-16</li> <li>• Draft GCS Policy and Administrative Regulation</li> <li>• Sample Information Request Policy               <ul style="list-style-type: none"> <li>○ NCSBA</li> </ul> </li> </ul>	<i>Discussion Leader: Nora Carr</i>
Constituent Services Policy/Communication Policy	<i>Discussion Leaders: Nora Carr and Darlene Garrett</i>
Next Steps	
Other Business	
Next Meeting: <i>August 9, 2:30 p.m.</i>	
Adjournment	



## POLICY COMMITTEE MEETING

June 14, 2017

**Present:** Wes Cashwell, Darlene Garrett, Linda Welborn

**Absent:** Byron Gladden

**Staff:** Nora Carr, Sharon Contreras, Lisa Nolen, Jill Wilson

**Others:** Rev. Lavern Carter, Dr. Goldie Wells

Chairman Darlene Garrett called the meeting to order at 2:38 p.m.

### Review of Minutes

A motion was made by Linda Welborn, seconded by Wes Cashwell, to approve the minutes from the May 18, 2017 meeting. The motion passed upon a unanimous voice vote.

### NCSBA Policy Services Update

Nora Carr reported that the Board approved the contract with the N.C. School Boards Association (NCSBA) for its policy services. The Committee will need to indicate which policies it first wants the NCSBA to address. NCSBA will then start the conversion process. There will be a kick-off meeting with the full Board, possibly scheduled in the fall. Once the legislative session ends, NCSBA will look at newly enacted statutes that may have an effect on Board policy.

### Future/Pending Policy Discussion

- Parent Involvement – ESSA Changes
  - Changes to the Every Student Succeeds Act (ESSA) may necessitate changes to GCS' parental involvement policy.
- Health and Wellness – State Requirement
  - The State Board of Education requires local education authorities (LEAs) to have a policy on student physical activity requirements. NCSBA will send a sample for the Committee to review. (Sample attached.)
- Constituent Relationship Management
  - Dr. Contreras will have staff collect constituent services policies that clarify procedures on how issues are resolved.
- Public Records Requests
  - North Carolina general statute permits charging fees for copies of public records. The statute limits charges to the "actual cost," meaning direct costs related to the reproduction of the public record. Sharon Contreras, Jill Wilson and Nora Carr will work on drafting a policy for the Committee's consideration. (Draft attached.)

### Adjournment

There being no further business, the meeting was adjourned at 3:50 p.m.



**MEMORANDUM**

TO: Darlene Garrett, Vice Chair  
Guilford County Board of Education

FROM: Nora Carr  
Chief of Staff

DATE: July 18, 2017

RE: GCS Public Information Requests Historical Data

Per your request for historical data on the public information requests received by Guilford County Schools, please see the quick snapshot below of the number of requests that have been received since tracking began in April 2009.

<b>July – June</b>	<b>Number of Requests</b>
2016-17	136
2015-16	156
2014-15	89
2013-14	90
2012-13	89
2011-12	82
2010-11	67
2009-10	38 (April – June)

Please call should you have any questions.

Thank you.

## **PUBLIC RECORDS – RETENTION, RELEASE, AND DISPOSITION**

*Policy Code:* **5070/7350**

<sup>1</sup>The board is committed to providing access to public records and public information. All employees shall comply with the public records law and this policy.

### **A. PUBLIC RECORD DEFINED**

Any record, in any form, that is made or received by the board or its employees in connection with the transaction of public business is a public record that must be made available to the public, unless such record is protected from disclosure by federal or state law or is otherwise exempted from the public records law, G.S. 132-1 through 132-9.

Though the school improvement plan is a public record, the school safety components of the plan are not public records subject to public records law.<sup>2</sup> Schematic diagrams, as described in G.S. 115C-105.53 and -105.54, and emergency response information, as described in G.S. 115C-47(40) and -105.54, are also not considered public records subject to public records law.

The official records of students are not public records subject to inspection and examination. (For additional information regarding the release of information about students, see policy 4700, Student Records.) Further, any written material containing the identifiable scores of individual students on any test taken pursuant to the state testing program described in Chapter 115C, Article 10A of the North Carolina General Statutes is not a public record.<sup>3</sup> Any test that is developed, adopted, or provided as part of the state testing program is not a public record until the State Board of Education designates that the test is released.<sup>4</sup>

Information in school system employee personnel files is protected from disclosure in accordance with G.S. 115C-319, except that the following employee information is public record.

1. Name.
2. Age.
3. The date of original employment or appointment.

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<sup>1</sup> This policy references many statutory duties.

<sup>2</sup> See G.S. 115C-105.27(a2).

<sup>3</sup> See G.S. 115C-174.13(b)

<sup>4</sup> See G.S. 115C-174.13(a)

4. The terms of any past or current contract by which the employee is employed, whether written or oral, to the extent that the board has the written contract or a record of the oral contract in its possession.
5. Current position.
6. Title.
7. Current salary (includes pay, benefits, incentives, bonuses, deferred compensation, and all other forms of compensation paid to the employee).
8. The date and amount of each increase or decrease in salary with the board.
9. The date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the board.
10. The date and general description of the reasons for each promotion with the board.
11. The date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the board. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board setting forth the specific acts or omissions that are the basis of the dismissal.
12. The office or station to which the employee is currently assigned.

The name of a participant in the North Carolina Address Confidentiality Program is not a public record and must be redacted from any records released.<sup>5</sup> As necessary, school personnel may combine public and confidential records to meet the business needs of the system. However, if a record contains confidential information as well as public information, school officials must provide the requested public record with the confidential information removed or redacted.

**B. DESIGNATION OF PUBLIC RECORDS OFFICER**

The superintendent shall designate a public records officer or otherwise ensure that the duties of a public records officer are met.<sup>6</sup>

1. Duties of the Public Records Officer

The duties of the public records officer include the following:

- a. determining whether records are public or confidential by law, with assistance from the local board attorney as necessary;

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<sup>5</sup> G.S. 115C-320.

<sup>6</sup> A centralized function is not required but may help ensure that all statutory requirements are met.

- b. determining the most cost-effective means of storing and retrieving public records that include confidential information;
- c. providing training, consultation, and guidelines to school officials who respond to or are otherwise involved in public records requests;
- d. determining the actual cost of providing copies of public records in various forms, such as paper or electronic media, in which the school system is capable of providing the records;<sup>7</sup>
- e. determining the cost of a request for copies of public records when a special service charge is applicable or when the school system is voluntarily creating or compiling a record as a service to the requester;<sup>8</sup> and
- f. reviewing appeals of any denial of a request for public records.

## 2. Other Duties

Other duties to be performed by the public records officer, a designated electronic records officer, or other employees as determined by the superintendent include the following:<sup>9</sup>

- a. reviewing all electronic data processing systems being considered for lease or purchase to ensure that they will not impede the school system's ability to permit public inspection and examination of records;<sup>10</sup>
- b. ensuring that databases are indexed as required by law; and
- c. conducting an inventory of electronic databases maintained by the school system on a regular basis.<sup>11</sup>

## C. REQUESTS FOR PUBLIC RECORDS

All requests for examining or obtaining copies of public records should be in writing. This policy, administrative guidelines, information on the actual cost of producing public records, information on how to reach the public records officer, information about how to appeal a denial of a public records request, and information regarding any computer database indexes must be made available to individuals requesting public records.

<sup>7</sup> School systems are statutorily required to determine the actual cost of producing records.

<sup>8</sup> Under G.S. 132-6.2, these are the two circumstances in which the amount charged may exceed the "actual cost."

<sup>9</sup> The Division of Archives and History requests that all government agencies identify an electronic records officer.

<sup>10</sup> This provision is statutorily required.

<sup>11</sup> This provision is not statutorily required but is recommended by the Division of Archives and History.

Public records must be released in accordance with the law. Any denial of a public records request must be made in writing and must include the basis for the denial.<sup>12</sup> The superintendent or designee may issue additional guidelines consistent with this policy to further clarify the process for requesting public records.

#### **D. FEES FOR COPIES OF PUBLIC RECORDS**

Persons requesting copies of public records will be charged any applicable fees as determined by the public records officer (see subsections B.1.d and B.1.e above). The school system shall not charge any fees for separating confidential information that is commingled with public records.<sup>13</sup>

#### **E. ELECTRONIC MAIL LISTS**

A school employee may be authorized by the superintendent or designee to maintain an electronic mail list of individual subscribers. Such a list may be used only: (1) for the purpose for which the subscribers subscribed to it; (2) to notify subscribers of an emergency to public health or public safety; or (3) in the event of deletion of the list, to notify subscribers of the existence of any similar lists. Although such electronic mail lists of individual subscribers shall be available for public inspection in either printed or electronic format,<sup>14</sup> school officials shall not provide anyone with copies of such lists.<sup>15</sup>

#### **F. DESTRUCTION OF PUBLIC RECORDS**

School personnel shall comply with the *Records Retention and Disposition Schedule for Local Education Agencies* adopted by the N.C. Department of Natural and Cultural Resources, Division of Archives and History, unless otherwise required by statute, regulation, or other legal authority. The superintendent may establish regulations for the destruction of records in accordance with the approved schedule.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 14-113.8(6); 115C-47(40), -105.27(a2), -105.53, -105.54, -109.3, -174.13, -319 to -321, -402; 132-1 to -9; *Public Database Indexing Guidelines*, N.C. Department of Natural and Cultural Resources (2014), available at <http://archives.ncdcr.gov/For-Government/Digital-Records/Digital-Records-Policies-and-Guidelines#digpres>; *Records Retention and Disposition Schedule for Local Education Agencies*, N.C. Department of Natural and Cultural Resources (1999), available at <http://archives.ncdcr.gov/For-Government/Retention-Schedules/Local-Schedules>; N.C. Attorney General Advisory Opinion, letter to Elizabeth Buford, February 26, 1996, available at <http://www.ncdoj.gov/About-DOJ/Legal-Services/Legal-Opinions/Opinions/Public-Records;-Computer-Database-Index.aspx>

<sup>12</sup> Requests and denials are not statutorily required to be in writing, but a written record should help to clarify issues if a denial is appealed.

<sup>13</sup> This provision is required by G.S. 132-6(c). See also G.S. 132-1.10(b)(5).

<sup>14</sup> The board may choose to make such lists available in either printed form or electronic form or in both forms.

<sup>15</sup> Notwithstanding the other public records laws, G.S. 132-1.13 does not require the school system to provide copies of such lists; however, the lists must be available for public inspection.

Cross References: North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), News Media Relations (policy 5040), Electronically Stored Information Retention (policy 5071/7351), Personnel Files (policy 7820)

Issued: **tbd**

Revised: August 31, 2006; August 1, 2007; October 15, 2007; January 20, 2009; September 30, 2010; January 27, 2012; September 13, 2013; September 30, 2014; November 13, 2015

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Under the North Carolina public records law, G.S. 132-1 *et seq.*, the public records and public information compiled by the school system are the property of the people. Any person may obtain copies of public records and public information for free or at minimal cost unless otherwise specifically provided by law. Public records also may be inspected and examined by any person at reasonable times and under reasonable supervision.

Pursuant to state law, board policy, and this regulation, public records will be made available as promptly as possible; however, nothing in this regulation will be construed to require the school system to create or compile a record that does not exist.

**I. PUBLIC RECORDS**

**A. Definition**

A “public record” is any record, in any form, made or received by the board or its employees in connection with the transaction of public business, unless such record is protected from disclosure under federal or state law or is otherwise exempted from the public records law.

For purposes of this regulation, any additional definitions included in policy 5070/7350, Public Records – Retention, Release, and Disposition, will apply.

**II. PUBLIC RECORDS OFFICER**

**A. Designated Public Records Officer**

In accordance with policy 5070/7350, Public Records – Retention, Release, and Disposition, the superintendent has designated Nora Carr, chief of staff, to serve as the public records officer for the Guilford County Schools.

Contact information for the public records officer is as follows:

In person or by mail: 712 N. Eugene Street, Greensboro, NC 27401  
By telephone: 336-370-8106  
By e-mail: carrn@gcsnc.com  
By fax: 336-370-8299

**B. Duties of Public Records Officer**

The public records officer will receive, process, and respond to all requests for public records in accordance with the North Carolina public records law, board policy, and this regulation. For purposes of this regulation, the public records officer’s duties will include, but are not limited to:

1. determining whether records are public or confidential by law, with assistance from the board attorney as necessary;
2. determining the actual cost of providing copies of public records in various forms, such as paper or electronic media, in which the school system is capable of providing the records; and
3. determining the cost of a request for copies of public records when a special service charge is applicable or when the school system is voluntarily creating or compiling a record as a service to the requester.

### **III. REQUESTS FOR PUBLIC RECORDS**

#### **A. Request for Public Records**

1. All requests for copies of public records, or for otherwise inspecting and examining public records, must be submitted in writing to the public records officer. A request submitted to any other school official or school employee will be referred to the public records officer in accordance with board policy and this regulation.
2. The request should be submitted in writing. (See Section II.A, above.)
3. The request must be completed on the applicable district web-based form, which identifies the specific public records that are being requested, including the following:
  - a. a description of the records, such as the name, title, or type of records;
  - b. the name of the employee, department, school, or other entity in custody of the records, if known;
  - c. the date(s) or range of dates of the records;
  - d. whether the request is to inspect and examine records or to receive copies of records;
  - e. if the request is for copies, the contact information for where the records should be delivered (such as a mailing address or e-mail address), unless the requester intends to pick them up in person; and
  - f. whether the person making the request prefers hardcopies or, as available, electronic copies or copies in other media, or both.

Documents requiring redaction will be provided in the format determined by the public records officer to be reasonable considering the redactions required.

The public records officer may ask for additional information from the person making the request as necessary in order to further clarify (1) the specific records being requested and (2) how the records will be delivered to the person making the request; however, no person will be required to disclose the purpose or motive for his or her request.

4. The school system will not create or compile a record that does not exist; research or analyze data; or answer written questions in response to a public records request.

**B. Review and Response by Public Records Officer**

1. The public records officer will acknowledge the request for public records in writing. In addition, the public records officer will provide information on the actual cost of producing public records, including the cost of copies and external storage devices (e.g. discs, thumb drives).
2. If the request is ambiguous or overly broad, the public records officer may ask the person making the request to revise the request as necessary in order to further clarify the specific records being requested; however, no person will be required to disclose the purpose or motive for his or her request.
3. The public records officer will review, process, and respond to the request within a reasonable amount of time. The amount of time required to respond to the request may depend on several factors, such as the location and availability of records, the complexity of the request, the volume of records involved, the number of other pending requests, and the time required to review records and redact any confidential information. The public records officer may provide an estimate of the amount of time needed to respond when acknowledging the request.
4. The public records officer will review and furnish any public records as promptly as possible unless a record is protected from disclosure under federal or state law or is otherwise exempted from the public records law.
  - a. No request to inspect, examine, or copy records will be denied because confidential information is commingled with non-confidential information. The records officer will separate confidential information from non-confidential information as necessary in order to permit the inspection, examination, or copying of records.

- b. The public records officer will redact any records with information protected from disclosure under federal or state law or otherwise exempted from the public records law, including, but not limited to, confidential student and employee information and confidential attorney-client communications between the board and the board attorney.
  - c. No fee will be charged for redacting or separating confidential information, information protected from disclosure under federal or state law, or information otherwise exempted from the public records law.
5. If the request is for hardcopies or electronic copies of public records, the public records officer will deliver (by mail, email or pick-up) or otherwise make available the records in the medium specified by the person making the request upon payment of any applicable fees (see Section IV, below).
- a. Persons requesting copies of public records may elect to obtain them in any and all media the school system is capable of providing them. Copies of public records will be provided in the medium specified by the person making the request, provided that the school system is capable of providing the records in the medium requested.
  - b. No request for copies of public records in a particular medium will be denied because the school system has made or prefers to make the public records available in another medium. However, see also 5.d. below.
  - c. Nothing in this regulation will be construed to require the school system to put into an electronic medium a record that is not kept in an electronic medium.
  - d. Information subject to redaction may be produced in a manner that facilitates the redaction and assures confidentiality of the information redacted.
6. If the request is to inspect and examine public records in person, the records may be accessed, inspected, and examined at reasonable times and under reasonable supervision during regular business hours as further established by the public records officer and/or as mutually agreed upon by the public records officer and the person making the request.
- a. Any request to inspect and examine public records in person also is subject to the reasonable availability of other school officials and school employees who may have custody of records at various sites throughout the school system. Such records may be accessed,

inspected, and examined at reasonable times and under reasonable supervision during regular business hours as mutually agreed upon by the school official or school employee and the person making the request.

- b. Any person making a request to inspect and examine public records in person on school property is subject to school board policy regarding visitors to the schools.
7. If the request is denied in whole or in part (e.g., because a record is not considered public by law, or because a public record does not exist), the public records officer will notify the person making the request in writing and provide the legal basis for denying the request in whole or in part.

**C. Right to Appeal**

1. Appeal to Superintendent

- a. Any person whose request for public records is denied in whole or in part by the public records officer may appeal the public records officer's decision to the superintendent. The appeal must be made in writing within five (5) days of receiving the public records officer's decision.
- b. The superintendent will provide a written response as promptly as possible, but no later than ten (10) days after receiving the appeal. If applicable, the public records officer will further process and respond to the request in accordance with the superintendent's decision as promptly as possible.

2. Appeal to the Board

- a. Any person whose request for public records is denied in whole or in part by the superintendent may appeal the superintendent's decision to the board. The appeal must be made in writing within five (5) days of receiving the superintendent's decision.
- b. The board will provide a final written decision as promptly as possible, but no later than thirty (30) days after receiving the appeal. If applicable, the records officer will further process and respond to the request in accordance with the board's decision as promptly as possible.
- c. Any person whose request for public records is subsequently denied by the board may appeal the board's decision pursuant to G.S. 132-9.

#### IV. FEES FOR PUBLIC RECORDS

Persons requesting copies of public records will be charged any applicable fees as determined by the records officer in accordance with this regulation; however, such fees will be limited to, and will not exceed, the actual cost of reproducing the records.

##### A. Fees for Copies of Records

###### 1. Hardcopies

The standard fee for hardcopies of records is \$.10 per black and white page after 50 pages.

If the request requires any special equipment or supplies to reproduce (such as color copies or large/wide format printing), the fee will be the actual cost of the services as calculated on a case-by-case basis.

###### 2. Electronic Copies

As practicable, and as mutually agreed upon with the person making the request, electronic copies will be sent via e-mail at no charge.

If the request requires any special media (such as a flash drive or CD-ROM), the fee will be the actual cost of the media as provided by the school system; however, the person making the request may provide his or her own media at no charge.

###### 3. Mail or Delivery

The fee for mailing or delivering copies of public records will be the actual cost of postage or delivery.

##### B. Special Service Charge

1. Pursuant to G.S. 132-6.2, if the request is such as to require extensive use of information technology resources, or extensive use of personnel for clerical or supervisory assistance, or if producing the records in the medium requested results in an excessive use of information technology resources, then the school system may charge, in addition to any applicable fees for copies of the records, a special service charge. The special service charge will be reasonable and will not exceed the actual costs incurred, which may include the costs of the personnel time spent in responding to the request.

2. For purposes of this subsection, any request for public records requiring more than four (4) hours to reproduce will constitute an extensive use of personnel and will be subject to a special service charge of \$25 per hour for each hour in excess of four (4) hours. Multiple requests from the same individual or organization within a short period of time may be considered a single request for purposes of determining whether a special service charge will apply.
3. If applicable, the public records officer will provide an estimate of the amount of time needed to respond to such requests and an estimate of the special service charge that may apply. The person making the request may (1) agree to pay the special service charge or (2) revise the request in order to reduce or avoid a special service charge.

**C. Payment**

The payment of any applicable fees may be made by cash, money order, or check payable in advance to Guilford County Schools.

Issued by the Superintendent: **TBD**

Reviewed: **TBD**

Revised: **TBD**

**DRAFT**

*NOTE: Footnotes are for reference only. They should be eliminated from an individual board's policy.*

## **PUBLIC RECORDS – RETENTION, RELEASE, AND DISPOSITION**

*Policy Code: 5070/7350*

<sup>1</sup>The board is committed to providing access to public records and public information. All employees shall comply with the public records law and this policy.

### **A. PUBLIC RECORD DEFINED**

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Though the school improvement plan is a public record, the school safety components of the plan are not public records subject to public records law.<sup>2</sup> Schematic diagrams, as described in G.S. 115C-105.53 and -105.54, and emergency response information, as described in G.S. 115C-47(40) and -105.54, are also not considered public records subject to public records law.

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1. Name.
2. Age.
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<sup>1</sup> This policy references many statutory duties.

<sup>2</sup> See G.S. 115C-105.27(a2).

<sup>3</sup> See G.S. 115C-174.13(b)

<sup>4</sup> See G.S. 115C-174.13(a)



4. The terms of any past or current contract by which the employee is employed, whether written or oral, to the extent that the board has the written contract or a record of the oral contract in its possession.
5. Current position.
6. Title.
7. Current salary (includes pay, benefits, incentives, bonuses, deferred compensation, and all other forms of compensation paid to the employee).
8. The date and amount of each increase or decrease in salary with the board.
9. The date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the board.
10. The date and general description of the reasons for each promotion with the board.
11. The date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the board. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board setting forth the specific acts or omissions that are the basis of the dismissal.
12. The office or station to which the employee is currently assigned.

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**B. DESIGNATION OF RECORDS OFFICER**

The superintendent shall designate a records officer or otherwise ensure that the duties of a records officer are met.<sup>6</sup>

1. Duties of the Records Officer

The duties of the records officer include the following:

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<sup>5</sup> G.S. 115C-320.

<sup>6</sup> A centralized function is not required but may help ensure that all statutory requirements are met.

- a. determining whether records are public or confidential by law, with assistance from the local board attorney as necessary;
- b. determining the most cost-effective means of storing and retrieving public records that include confidential information;
- c. providing training, consultation, and guidelines to school officials who respond to or are otherwise involved in public records requests;
- d. determining the actual cost of providing copies of public records in various forms, such as paper or electronic media, in which the school system is capable of providing the records;<sup>7</sup>
- e. determining the cost of a request for copies of public records when a special service charge is applicable or when the school system is voluntarily creating or compiling a record as a service to the requester;<sup>8</sup> and
- f. reviewing appeals of any denial of a request for public records.

## 2. Other Duties

Other duties to be performed by the records officer, a designated electronic records officer, or other employees as determined by the superintendent include the following:<sup>9</sup>

- a. reviewing all electronic data processing systems being considered for lease or purchase to ensure that they will not impede the school system's ability to permit public inspection and examination of records;<sup>10</sup>
- b. ensuring that databases are indexed as required by law; and
- c. conducting an inventory of electronic databases maintained by the school system on a regular basis.<sup>11</sup>

## C. INDEXING OF COMPUTER DATABASES

All computer databases compiled or created after June 30, 1998 must be indexed as required by law. The form and content of the indexes must conform to the guidelines issued by the North Carolina Division of Archives and History.

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<sup>7</sup> School systems are statutorily required to determine the actual cost of producing records.

<sup>8</sup> Under G.S. 132-6.2, these are the two circumstances in which the amount charged may exceed the "actual cost."

<sup>9</sup> The Division of Archives and History requests that all government agencies identify an electronic records officer.

<sup>10</sup> This provision is statutorily required.

<sup>11</sup> This provision is not statutorily required but is recommended by the Division of Archives and History.

Any computer database that is being considered for purchase or lease by the school system and that will be subject to the indexing requirements should include the statutorily required index provided by the vendor at no additional cost to the school system.<sup>12</sup>

<sup>13</sup>In addition, the school system will voluntarily index databases created or compiled prior to July 1, 1998, so long as the process is not unreasonably burdensome or costly. Any voluntary indexing does not have to meet statutory requirements or the guidelines issued by the North Carolina Division of Archives and History.

#### **D. REQUESTS FOR PUBLIC RECORDS**

All requests for examining or obtaining copies of public records should be in writing or recorded by school system personnel. This policy, administrative guidelines, information on the actual cost of producing public records, information on how to reach the records officer, information about how to appeal a denial of a public records request, and information regarding any computer database indexes must be made available to individuals requesting public records.

Public records must be released in accordance with the law. Any denial of a public records request must be made in writing and must include the basis for the denial.<sup>14</sup> The superintendent or designee may issue additional guidelines consistent with this policy to further clarify the process for requesting public records.

#### **E. FEES FOR COPIES OF PUBLIC RECORDS**

Persons requesting copies of public records will be charged any applicable fees as determined by the records officer (see subsections B.1.d and B.1.e above). The school system shall not charge any fees for separating confidential information that is commingled with public records.<sup>15</sup>

#### **F. ELECTRONIC MAIL LISTS**

A school employee may be authorized by the superintendent or designee to maintain an electronic mail list of individual subscribers. Such a list may be used only: (1) for the purpose for which the subscribers subscribed to it; (2) to notify subscribers of an emergency to public health or public safety; or (3) in the event of deletion of the list, to notify subscribers of the existence of any similar lists. Although such electronic mail lists

<sup>12</sup> The vendor provision is not statutorily required but is intended to assist the school system in meeting its requirement to index databases.

<sup>13</sup> This paragraph is optional. The Division of Archives and History recommends using the indexing guidelines for prior databases to ensure compatibility with future global indexing of North Carolina government information. This policy may be written to require conformity to the guidelines. The intent of the policy, as written, is to allow deviation from the guidelines if the guidelines are burdensome.

<sup>14</sup> Requests and denials are not statutorily required to be in writing, but a written record should help to clarify issues if a denial is appealed.

<sup>15</sup> This provision is required by G.S. 132-6(c). See also G.S. 132-1.10(b)(5).

of individual subscribers shall be available for public inspection in either printed or electronic format,<sup>16</sup> school officials shall not provide anyone with copies of such lists.<sup>17</sup>

## **G. DESTRUCTION OF PUBLIC RECORDS**

School personnel shall comply with the *Records Retention and Disposition Schedule for Local Education Agencies* adopted by the N.C. Department of Natural and Cultural Resources, Division of Archives and History, unless otherwise required by statute, regulation, or other legal authority. The superintendent may establish regulations for the destruction of records in accordance with the approved schedule.

Legal References: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; G.S. 14-113.8(6); 115C-47(40), -105.27(a2), -105.53, -105.54, -109.3, -174.13, -319 to -321, -402; 132-1 to -9; *Public Database Indexing Guidelines*, N.C. Department of Natural and Cultural Resources (2014), available at <http://archives.ncdcr.gov/For-Government/Digital-Records/Digital-Records-Policies-and-Guidelines#digpres>; *Records Retention and Disposition Schedule for Local Education Agencies*, N.C. Department of Natural and Cultural Resources (1999), available at <http://archives.ncdcr.gov/For-Government/Retention-Schedules/Local-Schedules>; N.C. Attorney General Advisory Opinion, letter to Elizabeth Buford, February 26, 1996, available at <http://www.ncdoj.gov/About-DOJ/Legal-Services/Legal-Opinions/Opinions/Public-Records;-Computer-Database-Index.aspx>

Cross References: North Carolina Address Confidentiality Program (policy 4250/5075/7316), Student Records (policy 4700), Confidentiality of Personal Identifying Information (policy 4705/7825), News Media Relations (policy 5040), Electronically Stored Information Retention (policy 5071/7351), Personnel Files (policy 7820)

Issued:

Revised: August 31, 2006; August 1, 2007; October 15, 2007; January 20, 2009; September 30, 2010; January 27, 2012; September 13, 2013; September 30, 2014; November 13, 2015

<sup>16</sup> The board may choose to make such lists available in either printed form or electronic form or in both forms.

<sup>17</sup> Notwithstanding the other public records laws, G.S. 132-1.13 does not require the school system to provide copies of such lists; however, the lists must be available for public inspection.

## **AR Code: 5070/7350-R Requests for Public Records**

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Under the North Carolina public records law, G.S. 132-1 *et seq.*, the public records and public information compiled by the school system are the property of the people. Any person may obtain copies of public records and public information for free or at minimal cost unless otherwise specifically provided by law. Public records also may be inspected and examined by any person at reasonable times and under reasonable supervision.

Pursuant to state law, board policy, and this regulation, public records shall be made available as promptly as possible; however, nothing in this regulation shall be construed to require the school system to create or compile a record that does not exist.

### **I. PUBLIC RECORDS**

#### **A. Definition**

A “public record” is any record, in any form, made or received by the board or its employees in connection with the transaction of public business, unless such record is protected from disclosure under federal or state law or is otherwise exempted from the public records law.

For purposes of this regulation, any additional definitions included in policy 5070/7350, Public Records – Retention, Release, and Disposition, shall apply.

#### **B. Applicability of Board Policies**

In addition to policy 5070/7350, Public Records – Retention, Release, and Disposition, requests for public records also are subject to the following board policies, as applicable:

1. policy 4250/5075/7316, North Carolina Address Confidentiality Program;
2. policy 4700, Student Records;
3. policy 4705/7825, Confidentiality of Personal Identifying Information;
4. policy 5040, News Media Relations;
5. policy 5071/7351, Electronically Stored Information Retention; and
6. policy 7820, Personnel Files.

### **II. RECORDS OFFICER**

#### **A. Designated Records Officer**

In accordance with policy 5070/7350, Public Records – Retention, Release, and Disposition, the superintendent has designated \_\_\_\_\_ *[insert employee's name]*, \_\_\_\_\_ *[insert employee's official title, if applicable]*, to serve as the records officer for the \_\_\_\_\_ *[insert school system name]* Schools.

The records officer may be contacted at:

In person or by mail: *[Insert street/mailling address; List separately if different]*

By telephone: *[Insert phone number]*

By e-mail: *[Insert e-mail address]*

By fax: *[Insert fax number]*

#### **B. Duties of Records Officer**

The records officer shall receive, process, and respond to all requests for public records in accordance with the North Carolina public records law, board policy, and this regulation. For purposes of this regulation, the records officer's duties shall include, but are not limited to:

1. determining whether records are public or confidential by law, with assistance from the board attorney as necessary;
2. determining the actual cost of providing copies of public records in various forms, such as paper or electronic media, in which the school system is capable of providing the records; and
3. determining the cost of a request for copies of public records when a special service charge is applicable or when the school system is voluntarily creating or compiling a record as a service to the requester.

### **III. REQUESTS FOR PUBLIC RECORDS**

*[This process may be modified. The process outlined below assumes the school system receives, processes, and responds to requests for public records through the designated records officers. In addition, the public records law requires the school system to respond to requests "as promptly as possible." This process does not specify any timeframes for processing and responding to requests; however, this section may be modified to include such timeframes.]*

#### **A. Request for Public Records**

*[There are complex legal standards and opinions regarding what information may be required and/or requested as part of a public records request. Please consult your board attorney before modifying this section to require the person making a public records request to provide additional information.]*

1. All requests for copies of public records, or for otherwise inspecting and examining public records, must be submitted to the records officer. A request submitted to any other school official or school employee will be referred to the records officer in accordance with board policy and this regulation.
2. The request should be submitted in writing by mail, e-mail, fax, or in person. (See Section II.A, above.) A request may be submitted orally by telephone or in person; however, the records officer will transfer any oral requests into writing in order to document, track, and respond to such requests in a consistent and timely manner. *[Transferring oral requests into writing is recommended.]*
3. The request must identify the specific public records that are being requested, including the following:
  - a. a description of the records, such as the name, title, or type of records;
  - b. the name of the employee, department, school, or other entity in custody of the records, if known;
  - c. the date(s) or range of dates of the records;
  - d. whether the request is to inspect and examine records or to receive copies of records;
  - e. if the request is for copies, the contact information for where the records should be delivered (such as a mailing address or e-mail address), unless the requester intends to pick them up in person; and
  - f. whether the person making the request prefers hardcopies or, as available, electronic copies or copies in other media, or both.

*[If the school system uses a form for requests, this information may be requested on the form, along with a request for the name of the person making the request and an acknowledgement that the person making the request agrees to pay any applicable fees (see Section IV, below). However, a person requesting to inspect, examine, or obtain copies of public records cannot be compelled to provide this information and access to the records cannot be conditioned on the person's completion of such documentation.]*

The records officer may ask for additional information from the person making the request as necessary in order to further clarify (1) the specific records being requested and (2) how the records will be delivered to the

person making the request; however, no person shall be required to disclose the purpose or motive for his or her request.

4. The school system is not required to create or compile a record that does not exist; research or analyze data; or answer written questions in response to a public records request. However, the public records officer may elect to create or compile a public record that does not already exist and may charge a reasonable fee for doing so, in accordance with subsection IV.A.4. *[This sentence is optional. The board is not required to create or compile records in response to a public records request. In the alternative, this regulation could state that the school system will not create or compile a record that does not exist.]*

**B. Review and Response by Records Officer**

1. The records officer will acknowledge the request for public records in writing. *[A written response is optional, but recommended.]* In addition, the records officer will make the following information available to the person making the request:
  - a. policy 5070/7350, Public Records – Retention, Release, and Disposition;
  - b. this regulation, which includes information about how to contact the records officer and about how to appeal a denial of a public records request;
  - c. information regarding any computer database indexes; and
  - d. information on the actual cost of producing public records.
2. If the request is ambiguous or overly broad, the records officer may ask the person making the request to revise the request as necessary in order to further clarify the specific records being requested; however, no person shall be required to disclose the purpose or motive for his or her request.
3. The records officer will review, process, and respond to the request within a reasonable amount of time. The amount of time required to respond to the request may depend on several factors, such as the location and availability of records, the complexity of the request, the volume of records involved, the number of other pending requests, and the time required to review records and redact any confidential information. The records officer may provide an estimate of the amount of time needed to respond when acknowledging the request.



4. The records officer shall review and furnish any public records as promptly as possible unless a record is protected from disclosure under federal or state law or is otherwise exempted from the public records law.
  - a. No request to inspect, examine, or copy records shall be denied because confidential information is commingled with non-confidential information. The records officer will separate confidential information from non-confidential information as necessary in order to permit the inspection, examination, or copying of records.
  - b. The records officer will redact any records with information protected from disclosure under federal or state law or otherwise exempted from the public records law, including, but not limited to, confidential student and employee information and confidential attorney-client communications between the board and the board attorney.
  - c. No fee shall be charged for redacting or separating confidential information, information protected from disclosure under federal or state law, or information otherwise exempted from the public records law.
5. If the request is for hardcopies or electronic copies of public records, the records officer will deliver (by mail or e-mail) or otherwise make available the records in the medium specified by the person making the request upon payment of any applicable fees (see Section IV, below).
  - a. Persons requesting copies of public records may elect to obtain them in any and all media the school system is capable of providing them. Copies of public records will be provided in the medium specified by the person making the request, provided that the school system is capable of providing the records in the medium requested.
  - b. No request for copies of public records in a particular medium shall be denied because the school system has made or prefers to make the public records available in another medium.
  - c. Nothing in this regulation shall be construed to require the school system to put into an electronic medium a record that is not kept in an electronic medium.
6. If the request is to inspect and examine public records in person, the records may be accessed, inspected, and examined at reasonable times and under reasonable supervision during regular business hours as further established

by the records officer and/or as mutually agreed upon by the records officer and the person making the request.

- a. Any request to inspect and examine public records in person also is subject to the reasonable availability of other school officials and school employees who may have custody of records at various sites throughout the school system. Such records may be accessed, inspected, and examined at reasonable times and under reasonable supervision during regular business hours as mutually agreed upon by the school official or school employee and the person making the request.
  - b. Any person making a request to inspect and examine public records in person on school property is subject to policy 5020, Visitors to the Schools.
7. If the request is denied in whole or in part (e.g., because confidential information is commingled with non-confidential information or because a public record does not exist), the records officer will notify the person making the request in writing and provide the legal basis for denying the request in whole or in part.

**C. Right to Appeal**

1. Appeal to Superintendent
  - a. Any person whose request for public records is denied in whole or in part by the records officer may appeal the records officer's decision to the superintendent. The appeal must be made in writing within five (5) days of receiving the records officer's decision.
  - b. The superintendent will review the request and the records officer's decision and may consult the board attorney as necessary.
  - c. The superintendent will provide a written response as promptly as possible, but no later than ten (10) days after receiving the appeal. If applicable, the records officer will further process and respond to the request in accordance with the superintendent's decision as promptly as possible.
2. Appeal to the Board
  - a. Any person whose request for public records is denied in whole or in part by the superintendent may appeal the superintendent's decision to the board. The appeal must be made in writing within five (5) days of receiving the superintendent's decision.

- b. A hearing will be conducted pursuant to policy 2500, Hearings Before the Board.
- c. The board will provide a final written decision as promptly as possible, but no later than thirty (30) days after receiving the appeal. If applicable, the records officer will further process and respond to the request in accordance with the board's decision as promptly as possible.
- d. Any person whose request for public records is subsequently denied by the board may appeal the board's decision pursuant to G.S. 132-9.

#### IV. FEES FOR PUBLIC RECORDS

Persons requesting copies of public records will be charged any applicable fees as determined by the records officer in accordance with this regulation; however, such fees shall be limited to, and shall not exceed, the actual cost of reproducing the records. *[This section may be modified to require a deposit or advance payment for requests with the potential for expensive fees.]*

##### A. Fees for Copies of Records

###### 1. Hardcopies

The standard fee for hardcopies of records is \$\_\_\_ *[insert amount, such as .05 or .10]* per black and white page after \_\_\_ *[insert number of free pages, if applicable]* pages. *[By statute, the fee cannot exceed the actual cost of printing or copying unless the special service charge, described in subsection IV.B. below, is applicable. The actual cost is limited to direct, chargeable costs related to the reproduction of a public record, not including costs that would have been incurred even if no request had been made, e.g., personnel and overhead costs.]*

If the request requires any special equipment or supplies to reproduce (such as color copies or large/wide format printing), the fee will be the actual cost of the services as calculated on a case-by-case basis.

###### 2. Electronic Copies

As practicable, and as mutually agreed upon with the person making the request, electronic copies will be sent via e-mail at no charge.

If the request requires any special media (such as a flash drive or CD-ROM), the fee will be the actual cost of the media as provided by the school system;

however, the person making the request may provide his or her own media at no charge.

3. Mail or Delivery

The fee for mailing or delivering copies of public records will be the actual cost of postage or delivery.

4. Records Created Upon Request

*[This section should be omitted if the regulation has been modified at subsection III.A.4 to state that the school system will not create records on request.]*

The school system may charge a reasonable fee on a case-by-case basis for any record it elects to create or compile that does not already exist. The fee shall be determined by the records officer based on the cost of the resources, including personnel, necessary to create or compile the requested record(s). The records officer shall provide an estimate of the cost of creating or compiling the record(s) and of the time needed to respond to the request.

**B. Special Service Charge**

*[The special service charge described in this section is authorized by state law for requests involving extensive use of information technology resources, including the costs of personnel providing these services. However, this authority may not extend to large requests that do not involve the extensive use of information technology resources. The board attorney should be consulted before applying this section to large record requests that do not involve extensive use of information technology resources.]*

1. Pursuant to G.S. 132-6.2, if the request is such as to require extensive use of information technology resources or extensive use of personnel for clerical or supervisory assistance, or if producing the records in the medium requested results in an excessive use of information technology resources, then the school system may charge, in addition to any applicable fees for copies of the records, a special service charge. The special service charge shall be reasonable and shall not exceed the actual costs incurred, which may include the costs of the personnel time spent in responding to the request.
2. For purposes of this subsection, any request for public records requiring more than four (4) hours to reproduce shall constitute an extensive use of personnel and will be subject to a special service charge of \$\_\_\_ *[specify dollar figure]* per hour for each hour in excess of four (4) hours. Multiple requests from the same individual or organization within a short period of

time may be considered a single request for purposes of determining whether a special service charge will apply. *[The number of hours specified in the first sentence may be modified. The hourly rate must be reasonable and based on the labor cost for the personnel providing the service or other technology information resources.]*

3. If applicable, the records officer will provide an estimate of the amount of time needed to respond to such requests and an estimate of the special service charge that may apply. The person making the request may (1) agree to pay the special service charge or (2) revise the request in order to reduce or avoid a special service charge.

**C. Payment**

The payment of any applicable fees may be made by cash, money order, or check payable to \_\_\_\_\_ *[insert school system name]* Schools.

*[This section could also specify any circumstances under which an advance deposit will be required.]*

**V. RECORDKEEPING REQUIREMENTS**

*[This section is optional, but recommended.]*

The records officer shall maintain appropriate records of each request for public records and the response to each request, including the number of pages (if hard copies were provided); the amount of time required to process and respond to each request; and the amount of any fees charged and/or received for the request.

**Issued by NCSBA: June 30, 2015**

Issued by the Superintendent:

Reviewed:

Revised:

# CHAPTER 2.00 SCHOOL BOARD GOVERNANCE AND ORGANIZATION

## CONSTITUENT SERVICE

2.15

### **Purpose:**

The purpose of the policy is to outline a process for Board member service to constituents. Board members must provide service to constituents but should not involve themselves in problem management.

This policy sets forth standards and describes processes. It is the intention of the School Board to meet these standards and follow these processes.

### ***Compliance with State Law***

The Duval County School Board and individual Board Members will follow all State laws and regulations regarding the prohibitions of Board involvement in management.

### ***Defining Constituent Service***

As elected officials and trustees acting on behalf of the public, Duval County School Board Members have a responsibility to be accessible to the public and assist citizens with suggestions, questions, or complaints regarding Duval County Public Schools. The following definitions apply:

- ***Constituents*** are residents of the community who are represented by an elected public school District Board member. Constituents are receivers of public services and provide public funds for those services.
- ***Governance*** is the primary role of the elected school District Board member. Governance involves ensuring the delivery of required educational and support services in the District by providing oversight and policy to the Superintendent regarding those services and desired results. Governance is strategically based guidance and policy focused on effecting system improvement.
- ***Management*** is the responsibility of the District Superintendent who is an employee of the School Board and operates within District policy established by the School Board and all applicable state and federal laws and regulations. Management includes directing staff, allocating resources, administering programs and providing support services to improve school system effectiveness and successfully achieve District academic objectives.
- ***Appropriate*** constituent service is defined as each Board member ensuring that management takes responsibility for helping citizens receive the services that the State

## CHAPTER 2.00 SCHOOL BOARD GOVERNANCE AND ORGANIZATION

Department of Education intend Duval County Public Schools to provide, using the systems and resources provided for those services.

- ***Inappropriate*** constituent service is defined as Board member involvement in management or delivery of specific services or desired result, even if the problem is serious and/or the Board member's involvement is minimal. This includes an obligation not to confer special advantage on employees, parents, students, vendors or any other person or entity outside regular management decision-making processes established by policy or management directive to guarantee fairness and equity.

### ***System for Constituent Service***

Recognizing the need to provide quality service to constituents, the Duval County School Board and Superintendent will together put into place a system for tracking and responding to constituent inquiries.

The goal of the District is to respond promptly and professionally to any questions or concerns of the public. To this end, the public is encouraged to use published telephone numbers to contact the appropriate District personnel regarding issues or questions. Another valuable resource is the District website [www.duvalschools.org](http://www.duvalschools.org) which contains policy, procedures and the status of various ongoing programs which will often answer many questions. The website also provides access to those who want to send questions and comments directly to the Superintendent using electronic mail.

If the above information sources do not provide answers, constituents may contact the respective Board member directly by calling the Board Liaison. As appropriate, such inquiries will be tracked using a system with the following features:

- A protocol for handling constituent requests for information or assistance;
- A primary contact person in the Board Office who will refer constituent service issue requests to the Superintendent's Office as directed by the Board member;
- A feedback system so that Board members know the resolution of requests;
- An information management system for storing, tracking, categorizing and analyzing requests;
- Periodic reports to the Superintendent and Board on constituent requests, their resolution, and patterns in requests;
- Periodic reports on District systems improvements made, in whole or part, as a result of constituent service requests; and,
- Over sight of the system by the Superintendent's designee.

The attached flowchart tracks the recommended process flow for constituent service requests.

## CHAPTER 2.00 SCHOOL BOARD GOVERNANCE AND ORGANIZATION

### ***Protocol for Managing Constituent Requests***

Protocol is based on a reliable information network between the Board Office and the Superintendent's Office for referring, tracking and resolving constituent inquiries. Normally, electronic management of these requests will be done via email or other electronic means as the preferred method of communication and recordkeeping in the system. The Superintendent's Office will manage the tracking system and coordinate with appropriate District staff. Requests will be tracked in the Superintendent's Office by the category of request; the person assigned the lead for responding, the date of inquiry and the date of response. This information will be maintained in a consolidated database until reviewed by the Superintendent or the Board, but no less than three years.

The District response will be forwarded to the Board Liaison for response to the constituent. The Board Liaison is responsible for ensuring that the respective Board member is advised of action on the constituent requests, as well as keeping the constituent advised of the status of the request.

As appropriate, and when requested by the Board Office, the Superintendent's Office or appropriate District staff member may respond directly to the constituent and copy the Board Office on the response. This shall be noted in the tracking system maintained by the Board Office.

### ***Guidelines for Responding to Constituent Requests***

Response to constituent requests will be managed on a priority basis. Board Liaison and District staff will set priorities considering all requests. The priority in which requests are answered is based on the urgency of the specific issue and not the importance of each request. The Board considers all requests to be important and warranting an expedient response. In cases where extensive staff work is required to collect data or research information to respond, an interim response will be provided to the constituent by the Board office.

### ***Central Database Management***

Constituent request data will be managed by the Superintendent's Office. As described in the section of this policy titled "***Protocol for Managing Constituent Requests***", statistics will be collated for further review by the Superintendent.

Constituent responses shall be maintained in an electronic database for a one-year period from the date of the response or until a briefing to the Board is complete.





Book	Board Policy Manual
Section	1. Governance & School Board Operations
Title	Board Member Duties - Community Relations
Number	BBBA-R(1)
Status	Active
Adopted	October 5, 2015
Last Revised	October 5, 2015

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## **ADMINISTRATIVE REGULATION**

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The Atlanta Board of Education is committed to two-way communication with the public about the organization and operation of the Atlanta Public Schools. This commitment includes keeping the public regularly informed and providing opportunities for the public to interact with the Board and the APS.

The Board encourages the public to inquire, learn about, and express a continuing interest in APS operations and to make suggestions for improvements. The media is encouraged to seek information on or about the APS. All inquiries and requests to interview, videotape, and photograph schools, students, activities, or APS personnel must be approved through the Communications Office prior to any such activities.

### ***Constituent Services***

The Atlanta Board of Education routinely receives a large number of requests for information, issue resolution, appeals, suggestions and follow-up from various members of the community. The Board recognizes that its ability to service these requests in an efficient, timely and courteous manner is a critical component necessary to promote system improvement, to inform and educate, and to support the needs of the school district. The purpose of this regulation is to describe the board's processes for addressing constituent problems, issues, complaints and questions escalated to the board for resolution and for use in systemic improvements.

### ***Definitions***

1. **Constituents** are citizens of the city of Atlanta who are represented by elected Atlanta Board of Education members or who receive educational services from our public schools. Constituents are receivers of public services and/or providers of public funds for

those services. Constituents include students, parents, guardians and members of the community.

2. **Governance** is the primary role of the elected members of the Atlanta Board of Education. Governance involves ensuring the delivery of required educational and support services in the district by providing oversight and policy to the superintendent regarding those services and desired results. Governance is strategic and involves the development of policy focused on effecting system improvement.

3. **Management** is the responsibility of the superintendent who is an employee of the board and operates within district policy established by the board and all applicable local, state and federal laws and regulations. Management includes directing staff, allocating resources, administering programs and providing support services to improve school system effectiveness and successfully achieve district objectives.

4. The **Constituent Service Process** ensures that management takes responsibility for helping citizens receive the services that Atlanta Public Schools provides, using the systems and resources provided for those services. The constituent service process does not include board member involvement in management or delivery of specific services or desired results, even if the problem is serious or the board member's involvement is minimal. This ensures that board members do not confer special advantage on staff members, parents, students, vendors or any other person or entity outside the regular decision-making processes established by policy or management to ensure fairness, equity and compliance with all applicable laws, policies and rules.

### ***Employees as Constituents***

Employees are required to follow the established protocols in requests for information, complaints, and suggestions. When employees approach board members with work related issues, board members will direct them to follow the appropriate administrative procedure. Employees who have followed this regulation shall not be disciplined regarding their communication with board members or for advocating for their own child (ren) consistent with applicable policies, rules and laws.

### ***Process for Constituent Services***

The process for handling constituent services requests is based on the establishment of a reliable communication mechanism between the board and the superintendent that will refer, track, and resolve constituent inquiries. Inquiries in the form of written correspondence, email, or telephone will be managed by electronic means to facilitate internal communication and record-keeping in the system. Requests will be tracked in the system by category of request, date of inquiry, date of response, and a summary of the response (at a minimum). This information will be maintained in a consolidated database the board and superintendent in accordance with the APS retention schedule.

When a board member directly receives a request regarding a constituent problem or concern:

1. Provide information or contact information for the appropriate office (if known)
2. Refer the issue to the Superintendent using the process for resolution of problems and constituent concerns described below with a copy forwarded to the board executive assistant to be logged into the tracking system.

In no case shall board members confer special advantage on staff, parents, students, vendors or any other person or entity outside regular decision-making processes

established by policy or management to ensure fairness, equity, and compliance with all applicable laws, policies and rules.

### ***Process for Forwarding Problems and Constituent Concerns to the Administration***

1. The board member contacts the Superintendent or his/her designee with the problem or concern and the contact information of the impacted party.
2. The Superintendent or his/her designee will coordinate the administration's response and inform the board member of the status of the resolution within five (5) business days.
3. The Superintendent will maintain a record of board inquiries that includes the actual response time.

The board and the superintendent will review these protocols annually.

### ***Tracking System for Constituent Service Requests***

The board will implement a constituent services system, which will accomplish the following:

1. Track and monitor the progress for responding to issues and requests,
2. Archive, categorize and analyze requests and responses,
3. Produce reports for analysis and review by the board on a quarterly basis, and
4. Provide a mechanism for quality assurance.

The board expects this system to result in:

1. All emails and letters will be responded to within five (5) business days,
2. Phone calls will be returned immediately whenever practicable and no later than two (2) business days,
3. Human interaction will be used whenever possible, and the use of automated receptionist and voice mail will be minimized,
4. A database of resolved issues that can be reused to increase efficiency throughout the school district will be developed, and
5. The ability of the administration to make system improvements based on identified patterns will be increased.

### ***Reporting and System Improvement***

The board directs the superintendent to establish appropriate administrative procedures to implement this regulation. Quarterly, or as directed by the board chair, the superintendent will present a summary to the board which will include constituent request data, trends, conclusions and recommendations for improvement. The superintendent's report to the board will be in an electronic format and will include data and graphs portraying the results and processes involved. This report will contain the most current information and will also include comparative data and trend analyses. Constituent services responses will be included in the district's Balanced Scorecard for systemic monitoring and evaluation.

Last Revised: 10/5/2015

Revised: 8/12/2013

First Adopted: 8/13/2012

**Keywords:**

constituent services, employees as constituents, constituent service process, constituent concerns, resolution of problems, tracking system, report, reporting, community relations, communication, media, media requests, news, complaints

**Syracuse City School District  
Resolution of Constituent Concerns Policy**

**General Belief:**

The Board of Education has an obligation to be accessible to the residents of Syracuse and assist them in obtaining answers to questions, resolving issues and directing concerns or suggestions to administration. It further recognizes that while the Board must provide high quality service to all constituents, the Commissioners will not involve themselves in administrative matters which are the responsibility of management.

The Board governs the District through the following three means: supervising the Superintendent, setting policy and approving the budget. All administrative and/or operational matters are within the Superintendent's authority.

The Board encourages constituents to resolve any issues at the point of concern. For example, if parents have a concern or complaint about their child's teacher, they should first contact the teacher to resolve the issue. If they do not feel that the teacher has resolved their complaint or concern, or they simply do not feel comfortable approaching the teacher, they should then contact their child's principal to resolve the issue. If parents have a concern or complaint about a principal, they should contact the appropriate Executive Director. If parents have concerns about one of the central administrative offices, district practice and/or initiatives, they should contact the Superintendent of Schools. If a constituent believes that their issue is still not resolved and it is an appealable matter, such as a disciplinary matter under the Student Code of Conduct, they have the right to bring the issue back to the Board for additional consideration.

The Board encourages the public to provide input during the policy development process, including formulation and revision, and will provide opportunities for constituents to participate in these processes, as appropriate.

**Purpose:**

This policy is intended to set forth the process for handling concerns that are brought to Commissioners; it is in no way intended to limit the interaction that the Board has with its constituents. This policy is intended to outline the process that the Board of Education will follow to effectively resolve problems and identify opportunities for systemic improvements.

**Position:**

As elected officials acting on the behalf of the public, the Board of Education members have an obligation to be accessible to the citizens of Syracuse on matters involving the Syracuse City School District. As such, the Board is committed to providing quality service to its constituents.

The Board considers all requests to be important and warranting an expedient response; however, it recognizes the need to prioritize responses. Therefore, responses to constituent requests shall be managed on a priority basis as determined by designated District staff and will be based on

the urgency of the specific issue. In any case, designated District staff will respond to the constituent within two business days of receiving the request from the Board. In cases where extensive staff work is required to collect data or research information to respond, an interim response will be provided to the constituent by designated District staff within two business days.

In the event a Board member receives a signed letter, said letter should be forwarded to the Superintendent for appropriate action.

While the Board encourages input from the community, anonymous calls or letters shall not receive Board attention, discussion or response and shall not result in directives to the Superintendent, except for allegations of criminal wrongdoing, abuse or other egregious acts that may result in serious harm to students or staff or unless otherwise compelled by applicable law or regulation.

**Desired Outcomes:**

The implementation of an effective Board constituent services process will result in:

- ✓ Timely and satisfactory responses to and resolution of constituent requests and issues
- ✓ Identification of opportunities for systems improvement

**Definitions:**

**Constituents** are all residents of Syracuse and who are thereby represented by the entire elected Board of Education members. Constituents include students, parents, guardians, employees, and other members and stakeholders of the Syracuse community.

**Appropriate constituent service** is defined as the Board of Education ensuring that management takes responsibility for helping parents and other citizens receive the services to which they are entitled and need. This includes an obligation not to confer special advantage on employees, parents, students, vendors or any other person or entity.

**Inappropriate constituent service** is defined as Board member involvement in problem solving or management, even if the problem is serious and/or the Board member's involvement is minimal.

**Roles and Responsibilities:**

The Board of Education, individually and collectively, will strive to provide appropriate service to all constituents, as set forth in this policy. The flow chart that is contained in Appendix A sets forth the recommended process for handling constituent service requests.

Board members will avoid involvement in management activities or giving direction to staff. In the event a Board member attempts to solve a constituent problem by obtaining a favor or influencing a management decision, the Board President shall be notified. If deemed necessary by the Board President, the Board member's action(s) shall be brought before the entire Board.

The Superintendent shall be responsible for maintaining a constituent services process that incorporates the following components:

1. A process for handling constituents' requests for information of assistance in a timely and effective manner.
2. A designated staff member or members to whom Board members may refer constituent service issues and/or requests.
3. A process for recording and tracking requests and responses.
4. A feedback process for informing Board members of the resolution of the referral.

**Protocol for Constituent Service**

The attached flowchart tracks the recommended process for constituent service requests.

**Management Oversight:**

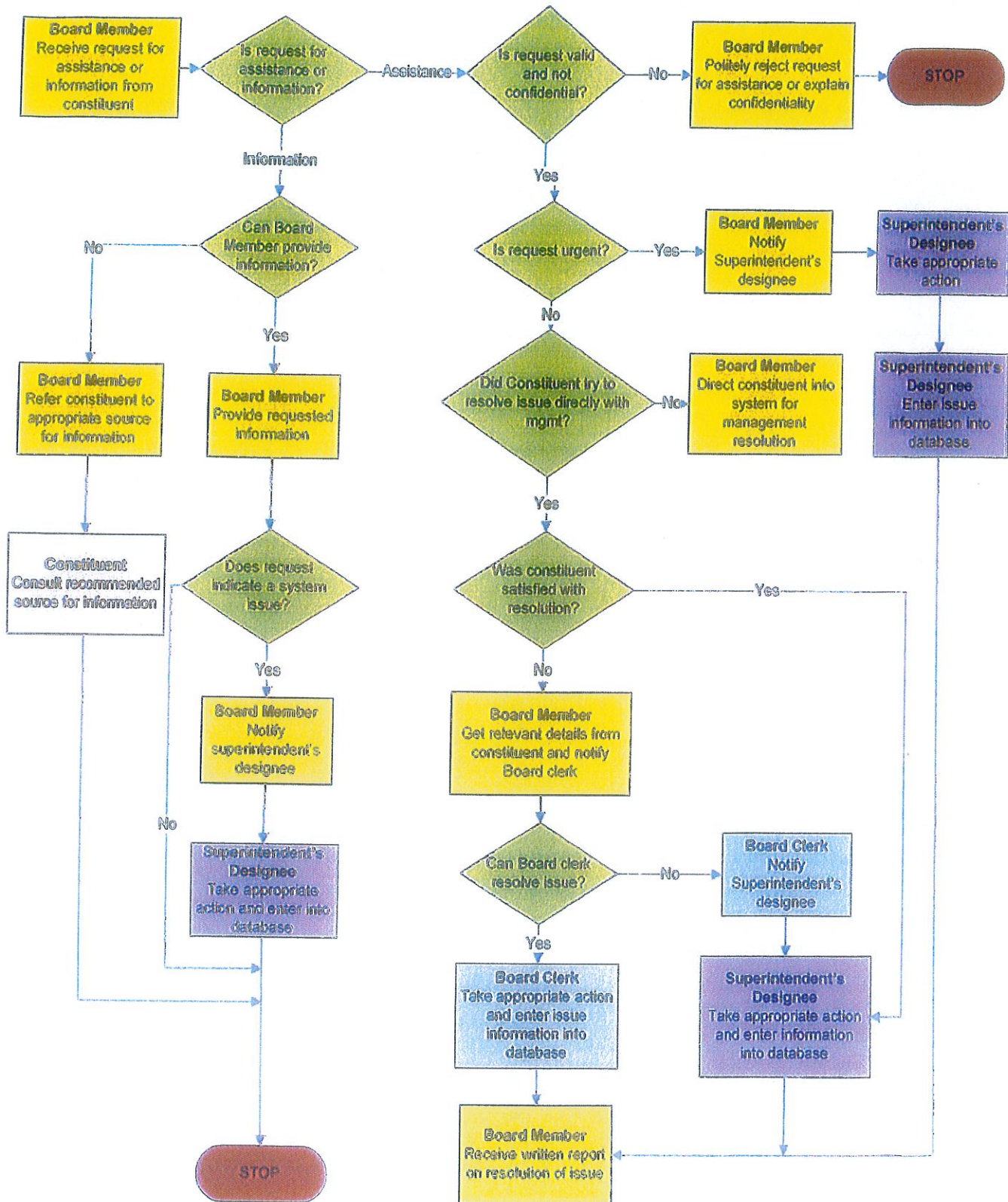
The Superintendent will provide the Board with a monthly report, which tallies constituent requests and provides the status of resolution for the requests. The report may set forth any trends, conclusions and recommendations for improvement, as appropriate.

**Cross References:** 2410 - Formulation, Adoption and Amendment of Policies  
5300 – Student Code of Conduct

**Legal References:**

**History:**

# Steps for Providing Service to Constituents





**CONSTITUENT SERVICES**

**BBE – A (Local)**  
Board Approved 8-16-10

**CONSTITUENT SERVICES PURPOSE**

The purpose of this section is to provide the Board with a standard to document and streamline the flow of constituent service requests throughout the District. The policy provides a standardized process by which Board members shall handle requests from constituents.

As elected officials serving on behalf of the public, the Board has a responsibility to be available to the public and to assist citizens with questions, suggestions, or concerns related to the District. The Board shall not confer special advantage or attention on employees, parents, students, vendors, or any other entity.

When the pursuit for information is initiated through an individual Trustee, that Trustee and the District staff will adhere to the following procedure to make certain that:

- Issues are responded to in a timely fashion;
- Issues are tracked in a systematic manner;
- Responses to the issues (and dissolution of the issue) are reported back to the entire Board in periodic accounts.

**CONSTITUENT SERVICES COORDINATOR**

The Superintendent shall appoint a Constituent Services Coordinator (CSC) to direct staff responses to Constituent issues. He or she will be responsible for the management and reporting process for the District.

**REFERRING COMPLAINTS**

If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member he or she shall refer them to the Superintendent, the Constituent Services Coordinator or another appropriate administrator, who shall proceed according to the applicable complaint policy. [See (LOCAL) policies at DGBA, FNG, and GF].

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Trustee may request that the issue be placed on the agenda, subject to the agenda requirements set forth in Policy BE (Local).

**DEFINITIONS**

Governance is the sole responsibility of the elected Board of the District. Governance involves ensuring the delivery of educational and support services through communication with the Superintendent. Governance is strategically based guidance

DATE Updated August 16, 2010

based on policy and focused on effecting system improvement.

The role of the Board in constituent service is to facilitate management's ability to resolve problems effectively without becoming involved in problem solving or interfering in the area of management.

Appropriate constituent service shall be defined as ensuring that management takes responsibility for helping citizens receive the services the Board has chosen to provide.

Inappropriate constituent service shall be defined as Board involvement in any management function, delivery of service or desired result, regardless of the situation.

Management is the responsibility of the Superintendent.

Management includes directing staff, allocating resources, administering programs, and providing support services to improve school system effectiveness and to successfully achieve District goals. The Superintendent shall design and implement predetermined processes to facilitate management's ability to resolve problems effectively and identify opportunities for system improvement.

The system for constituent service shall include the following major features:

- A protocol for handling constituent requests for information, assistance or concern; (Exhibit A)
- A communications plan for implementation of the constituent service process; (Exhibit B)
- A primary contact person to whom Board members are to refer constituent service requests that they receive;
- A form for documenting requests; (Exhibit C)
- An information management system for storing, tracking, categorizing, and analyzing requests;
- A feedback process so that Board members know the resolution of requests;
- Oversight of the system by the Superintendent or a designee, who handles priority requests and keeps the Superintendent informed of matters that require his or her attention;
- Periodic reports on constituent requests, related resolutions, and patterns of requests; and
- Periodic reports on improvements to systems made, in whole or part, as a result of constituent service requests.

**SYSTEM FOR  
CONSTITUENT SERVICE**

The medium for communication remains the decision of the Board based on the type of service requested. Only formal requests for information or assistance shall travel through the

DATE Updated August 16, 2010

flowchart that is provided in this policy. Additionally, except as expressly provided in Exhibit A, Board members shall not be involved in the resolution process of a constituent service request once it enters the flowchart.

Communication shall be utilized at the individual Board member's discretion. Examples of informal communication include personal contact as a result of incidental conversation that occurs during the normal course of a daily schedule, or the relay of a concern that was overheard, or any other matter that does not merit a formal request.

Formal communication shall be relayed through the constituent service policy that has been established and approved by the Board. Examples of formal communication include a letter; an email, or a telephone call.

**REPORTING AND  
SYSTEM  
IMPROVEMENT**

This policy on constituent service is to direct requests for service through the proper channels to achieve resolution. In the event a Board member attempts to solve a constituent problem by obtaining a favor or influencing a management decision, the Board President shall be notified. If deemed necessary by the Board President, that Board member's action shall be brought before the entire Board.

Annually, in the month of July, or as directed by the Board President, the Superintendent shall present a summary to the Board that includes data related to constituent service requests, trends, conclusions, and recommendations for improvement. The report shall contain the most current information and shall also include comparative data when available.

**PHONE CALLS AND  
LETTERS**

The Board encourages input; however, anonymous calls or letters shall not receive Board attention, discussion, or response, and shall not result in directives to the administration.

**RESPONSE TO  
LETTERS**

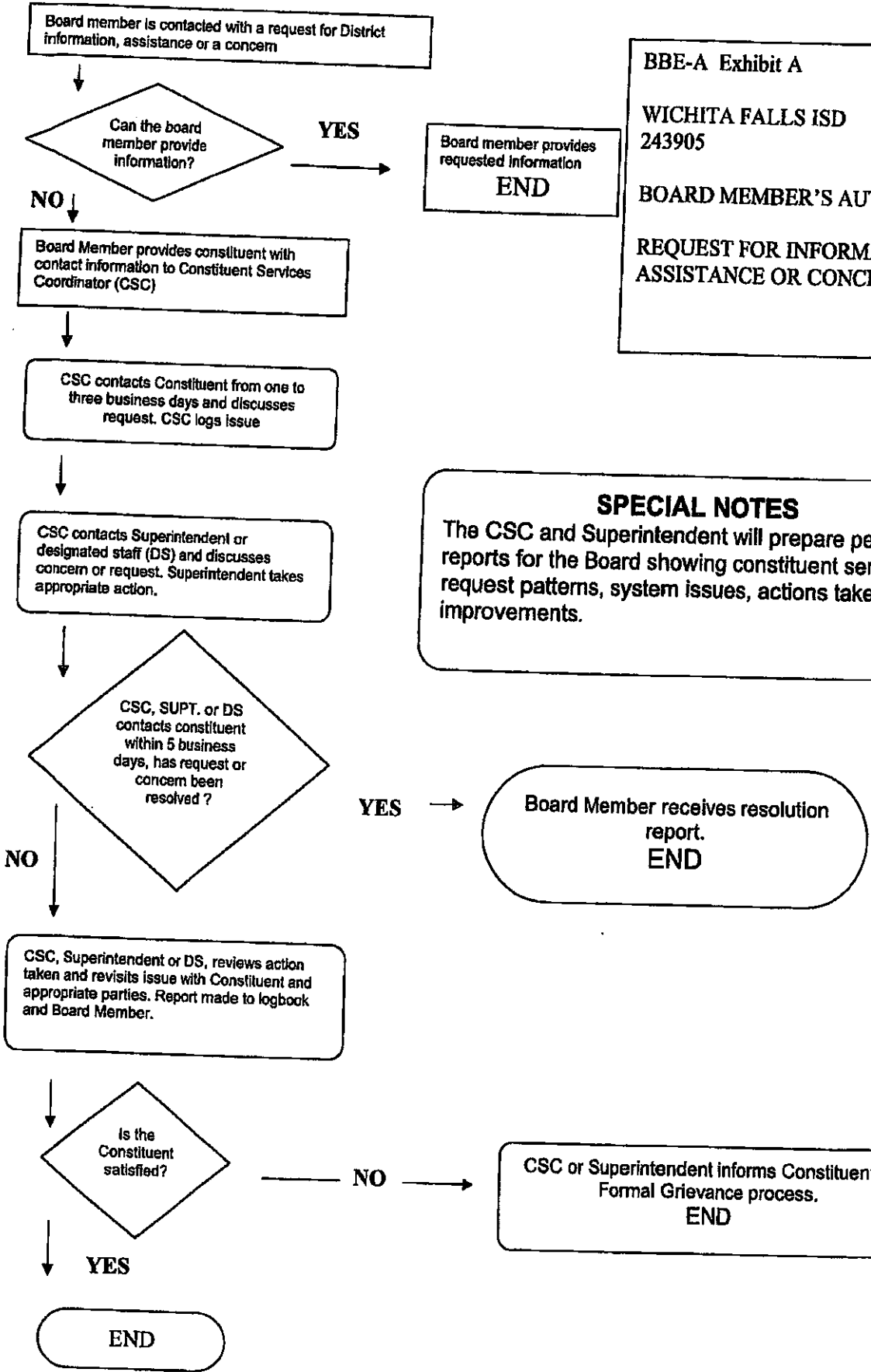
Board members receiving a signed letter shall forward it to the Superintendent. A written response using standard format shall be sent to the originator of the letter. The Superintendent shall respond and send a copy to each Board member.

**Wichita Falls Independent School District  
Communications Plan for  
Board of Trustees Constituent Services Process**

Following the adoption of the Board Policy on Constituent Services and the development of the administrative procedures for implementing the policy, the WFISD will communicate the process internally and externally through these and other vehicles:

- **Superintendent's Cabinet:** Ensure that all senior leadership team members understand the constituent services process and their role in carrying out the Board's expectation per the policy and procedures.
- **District Leadership Team:** Inform principals and all central office leaders that the constituent services process is being implemented. Explain the role of school system leaders in carrying out the Board's expectations contained in the constituent services policy and procedures.
- **Superintendent's Key Communicator Council:** Explain the constituent services process to this group of community members so they are aware of how the Board follows through on constituent questions and concerns.
- **News Media:** Seek positive publicity of the Board's formal approach to constituent service by sharing the process with members of the news media who routinely cover Wichita Falls Independent School District.
- **School Board Meetings:** Yearly, review how the constituent services policy works for the benefit of the citizens in attendance.
- **Website and Print Items:** Place information about the constituent services process on the Board Page of the District's website. Create a board brochure that explains the board's role and the constituent services policy. Disseminate these brochures at the board meetings, public libraries, campuses, and district buildings.

BBE-A Exhibit A  
 WICHITA FALLS ISD  
 243905  
 BOARD MEMBER'S AUTHORITY  
 REQUEST FOR INFORMATION,  
 ASSISTANCE OR CONCERN



**SPECIAL NOTES**  
 The CSC and Superintendent will prepare periodic reports for the Board showing constituent service request patterns, system issues, actions taken and improvements.

Board Member receives resolution report.  
 END

CSC or Superintendent informs Constituent of Formal Grievance process.  
 END

END

## Community Relations

### Constituent Services

**Purpose:** The purpose of the policy is to outline a process for Board member service to constituents. Board members must provide service to constituents but should not involve themselves in problem management.

This policy sets forth standards and describes processes. It is the intention of the School Board to meet these standards and follow these processes.

### Compliance with State Law

The Hartford Board of Education and individual Board members will follow all state laws and regulations regarding the prohibitions of Board involvement in management.

### Defining Constituent Service

As elected and appointed Board members acting on behalf of the public, Hartford Board members have a responsibility to be accessible to the public and assist citizens with suggestions, questions, or complaints regarding the Hartford Public Schools. The following definitions apply:

- **Constituents** are members of the Hartford school community who are represented by elected and appointed Public School District Board members or who receive educational services from our public schools. Constituents are receivers of public services and/or provide public funds for those services.
- **Constituent Ombudsman** one who responds to and investigates complaints and concerns from parents, guardians, students, school staff members and any community members with a school-related problem. The Ombudsman is available to assist in the settlement and resolution of stated problem in a customer-friendly manner. The Ombudsman is considered a neutral party who seeks to resolve school related problems and issues as quickly, fairly and efficiently as possible.
- **Governance** is the primary role of the elected and appointed School District Board member. Governance involves ensuring the delivery of required educational and support services in the district by providing oversight and policy to the Superintendent regarding those services and desired results. Governance is strategically based governance and policy focused on effecting system improvement and sustainability.
- **Management** is the responsibility of the Superintendent who is an employee of the School Board and operates within district policy established by the School Board and all applicable state and federal laws and regulations. Management includes directing staff, allocating resources, administering programs and providing support services to improve school system effectiveness and successfully achieve district academic objectives.

## Community Relations

### Constituent Services (Continued)

- **Appropriate constituent service** ensures that management takes responsibility for helping citizens receive the services that the Hartford Public Schools intends to provide, using the systems and resources provided for those services.
- **Inappropriate constituent service** is defined as Board member involvement in management or delivery of specific services or desired result, even if the problem is serious and/or the Board member's involvement is minimal. This includes an obligation not to confer special advantage on employees, parents, students, vendors or any other person or entity outside regular management decision-making processes established by policy or management directive to guarantee fairness and equity.
- **Communication** The Hartford Board of Education will communicate with constituents in the appropriate manner, given the nature of the constituent issue. The Superintendent will ensure that all staff is aware of all Board policies and procedures, in order to carry out the Board's expectations and communicate them effectively. Board of Education news and announcements will be coordinated through management staff, and timely notice for optional participation will be given to all Board of Education members. Management staff will coordinate the gathering of feedback from the community, in order to gauge the effectiveness of Board of Education communications and present reports to the Board of Education. Board of Education members will communicate policies to the constituents at Board of Education meetings and will consider constituent comments at public forums. As Board members receive direct requests and concerns from members of the community, they will refer them to the Superintendent or appropriate management staff for resolution. In any case, when a Board member refers a matter, the Board member will be given appropriate feedback as to the resolution of the issue by the Superintendent or his senior management staff.

### System for Constituent Service

Recognizing the need to provide quality service to constituents, the Hartford Public School Board and Superintendent will together put into place a system for tracking and responding to constituent inquiries.

- The goal of the District is to respond promptly and professionally to any questions or concerns of the public. To this end, the public is encouraged to use published telephone numbers to contact the appropriate personnel at their school or department regarding issues or questions. Another valuable resource is the district website, [www.hartfordschools.org](http://www.hartfordschools.org), which contains policy, procedures, telephone numbers, and the status of various ongoing programs. The website also provides access to those who want to send questions and comments directly to the Superintendent using electronic mail.

If the above information sources do not provide answers, constituents may contact the District's Welcome Center. As appropriate, such inquiries will be tracked using a system with the following features:

## **Community Relations**

### **Constituent Services (Continued)**

- A Multilanguage protocol for handling constituent requests for information or assistance;
- A primary contact person in the Board Office who will refer constituent service issue requests to the Board Ombudsman, as directed by the Board member, following initial contact with the principal;
- A feedback system so that Board members know the resolution of requests;
- An information management system for storing, tracking, categorizing, and analyzing requests;
- Annual reports to the Superintendent and Board on constituent requests, their resolution, and patterns in requests;
- Annual reports on District systems improvements made, in whole or part, as a result of constituent service requests; and,
- Oversight of the system by the Superintendent's designee.

The attached flowchart tracks the recommended process flow for constituent service requests.

### **Protocol for Managing Constituent Requests**

Protocol is based on a reliable information network between the Board Office and the Welcome Center for referring, tracking, and resolving constituent inquiries. Normally, electronic management of these requests will be done via e-mail or other electronic means, as the preferred method of communication and recordkeeping in the system. The Welcome Center will manage the tracking system and coordinate with appropriate district staff. Requests will be tracked in the Welcome Center by the category of request, the person assigned the lead for responding, the date of inquiry, and the date of response. This information will be maintained in a consolidated database until reviewed by the Superintendent or Board, but no less than four years.

The district's response will be forwarded to the Board Ombudsman for response to the constituent. The Board Ombudsman is responsible for ensuring that the respective Board member is advised of action on the constituent requests, as well as keeping the constituent advised of the status of the request.

As appropriate, and when requested by the Board Office, the Superintendent's Office or appropriate District staff member may respond directly to the constituent and copy the Board Office on the response. This shall be noted in the tracking system maintained by the Board Office.



**Community Relations****Constituent Services (Continued)****Guidelines for Responding to Constituent Requests**

The Board considers all requests to be important and warranting an expedient response. Response to constituent requests will be managed on a priority basis. Board Ombudsman and District staff will set priorities considering all requests. The priority in which requests are answered is based on the urgency of the specific issue and not the importance of each request for both academic and non-academic issues. In cases where extensive staff work is required to collect data or research information to respond, an interim response will be provided to the constituent by the Board Office within 24 hours.

**Central Database Management**

Constituent request data will be managed by the Welcome Center. As described in the section of this policy titled, "Protocol for Managing Constituent Requests," statistics will be collected for further review by the Superintendent. Constituent responses shall be maintained in an electronic database for a one-year period from the date of the response or until a briefing to the Board is complete.

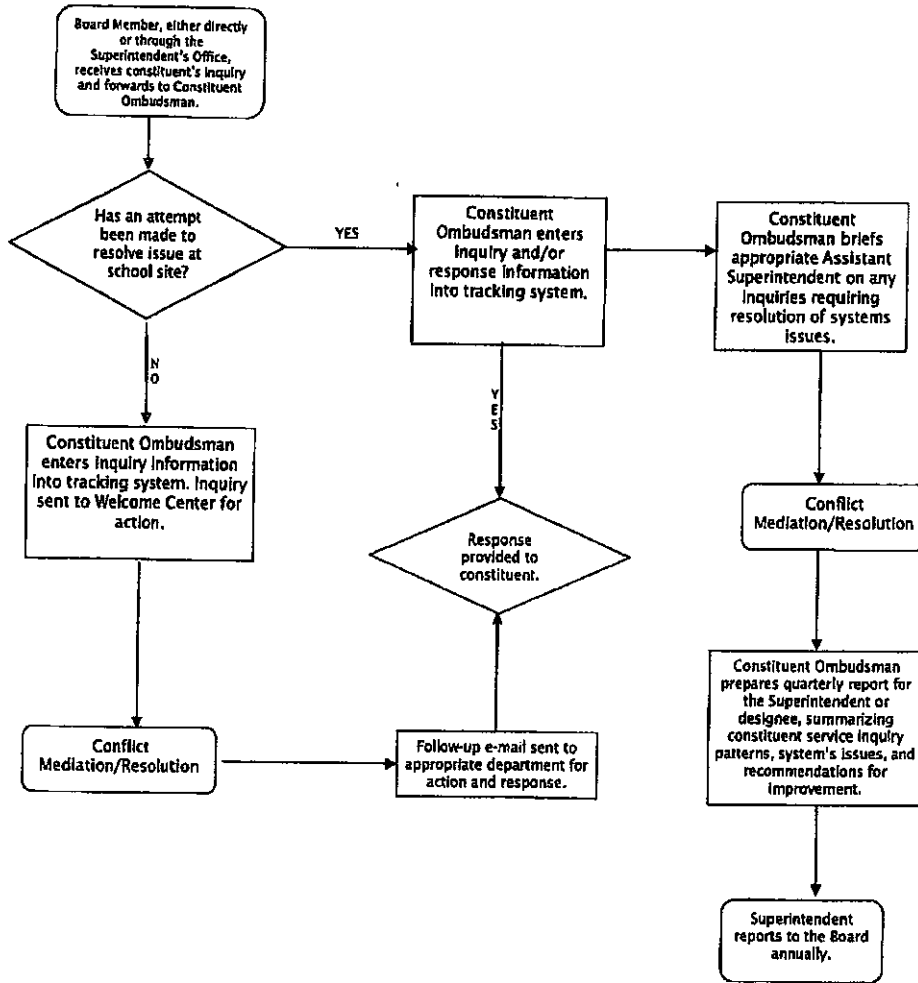
**Reporting and System Improvement**

Annually, or as directed by the Board Chair, the Superintendent will present a summary to the Board, which will include constituent request data, trends, conclusions and recommendations for improvement. The Superintendent's report to the Board will be in a suitable electronic document and will include data and graphs portraying the results and processes involved. This report will contain the most current information, and will also include comparative data and trend analyses.

Community Relations

Constituent Services (Continued)

Hartford Public Schools Constituent Service Flow Chart



Policy adopted: April 22, 2008

HARTFORD PUBLIC SCHOOLS  
Hartford, Connecticut

## Community Relations

### Constituent Service

In order to ensure timely and appropriate communication with constituents who contact a Board member with a question, concern or request for information, the Board shall institute a formal constituent services process. To that end the Board shall require the Superintendent to develop, implement, and maintain administrative procedures that clearly articulate how the constituent services process will function.

As elected officials and trustees acting on behalf of the public, the members of the New London Board of Education have an obligation to be accessible to the public and assist constituents with suggestions, questions, or complaints regarding the New London Public Schools. Board members must provide service to constituents, but in doing so should not involve themselves in administrative matters or management.

#### *Defining Constituent Service*

- **Constituents** are the students and staff of the New London Public Schools, residents of New London, the parents and guardians of students who attend the New London Public Schools and the educational community at large.
- **Governance** is the primary role of the New London Board of Education. Governance involves ensuring the delivery of required educational and support services in the district by providing oversight and policy to the Superintendent regarding those services and the desired outcome associated with those services. Governance is strategically based guidance and policy focused on effecting the improvement of the school district
- **Management** is the responsibility of the Superintendent of Schools, who is an employee of the Board of Education and operates within district policies established by the Board and all applicable state and federal laws and regulations. Management includes directing staff, allocating resources, administering programs and providing support services to improve the school district's effectiveness and to successfully achieve the goals established by the current Strategic Operating Plan.
- **Appropriate constituent service** is defined as each Board member, through the Superintendent of Schools, ensuring that management takes responsibility for helping constituents receive the educational services that the Connecticut State Department of Education intends the New London Public Schools to provide, using the district's resources allocated for those services.
- **Inappropriate constituent service** is defined as Board member involvement in the management or delivery of specific services or the desired result, even if the problem is serious and/or the Board member's involvement is minimal. This includes an obligation not to offer special advantage to employees, parents, students, vendors or any other person or entity outside regular management decision-making processes established by policy or management directive to guarantee fairness and equity.

### **Employees as Constituents**

Employees are required to follow the established protocol in requests for information, complaints, and suggestions. When employees approach Board Members with work related issues, Board Members will direct them to follow the appropriate procedure as delineated in their employment contract, otherwise this policy will apply.

Employees who have followed this policy shall not be disciplined regarding their communication with Board Members, or for advocating for their own child(ren).

### ***Protocol for Constituent Service***

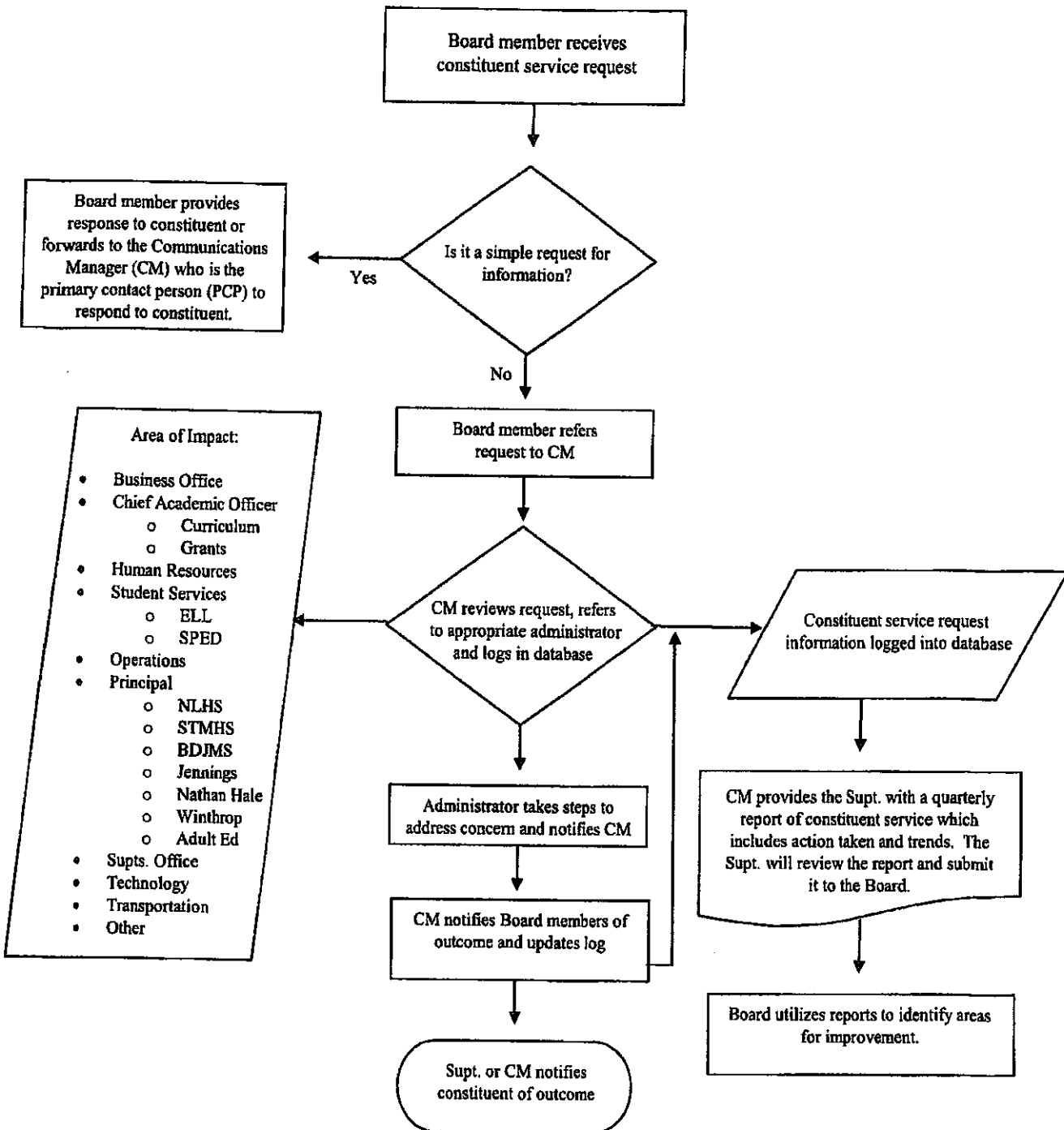
1. The Superintendent of Schools designates the Communications Manager as the primary contact person to receive, review, refer and resolve constituent service requests.
2. Constituent service requests should be resolved at the lowest possible level of authority.
3. The Communications Manager will establish a process to record and track constituent service requests, the resolution to each request and the feedback provided to Board members.
4. The Superintendent and the Board will receive quarterly reports on constituent requests, the resolution and patterns in requests, as well as system improvements made as a result of constituent service requests.
5. Anonymous complaints provide no avenue for response or redress of the complaint. Therefore, it is the policy of the Board that such complaints will not be pursued. An unsigned complaint will not be read or acted upon at any meeting of the Board and anonymous telephone complaints will not be brought to the Board by any individual Board member, administrator or other district employee. The administration will not act on any anonymous complaint.
6. Constituents will be made aware of the proper channels of communication and appeal. Complaints for which specific resolution procedures are provided shall be directed through those channels.
7. If all other remedies have been exhausted and a constituent service request cannot be satisfactorily resolved, the request may be appealed to the Board of Education. No appeal will be heard by the Board and no charges or accusations against an employee will be investigated unless the accusations are reduced to writing, signed by the party making the complaint, and presented to the Board through the Superintendent.

8. For simple requests for information which Board members have knowledge of and can provide, Board members may respond in the following ways:
  - a. Provide information and carbon copy (cc:) the Communications Manager on the response so that it may be logged appropriately.
  - b. Refer the constituent to the appropriate office
  - c. Refer the issue to the primary contact for constituent service requests
  - d. Request a response from the Superintendent to be drafted on behalf of the Board

NEW LONDON PUBLIC SCHOOLS  
New London, Connecticut

Adopted: October 24, 2013

New London Board of Education  
Constituent Service Flowchart



NEW LONDON PUBLIC SCHOOLS  
New London, Connecticut

Adopted: October 24, 2013