



Book	Policy Manual
Section	800 Operations
Title	Public Records
Number	801
Status	Active
Legal	<a href="#">1. 65 P.S. 67.102</a> <a href="#">2. 65 P.S. 67.302</a> <a href="#">3. 65 P.S. 67.305</a> <a href="#">4. 65 P.S. 67.504</a> <a href="#">5. 65 P.S. 67.701</a> <a href="#">7. 65 P.S. 67.502</a> <a href="#">8. 65 P.S. 67.705</a> <a href="#">9. 42 U.S.C. 12132</a> <a href="#">10. 28 CFR 35.160</a> <a href="#">11. 28 CFR 35.164</a> <a href="#">12. 65 P.S. 67.505</a> <a href="#">13. 65 P.S. 67.703</a> <a href="#">14. 65 P.S. 67.1307</a> <a href="#">15. 65 P.S. 67.901</a> <a href="#">16. 65 P.S. 67.902</a> <a href="#">17. 65 P.S. 67.506</a> <a href="#">18. 65 P.S. 67.706</a> <a href="#">19. 65 P.S. 67.905</a> <a href="#">20. 65 P.S. 67.707</a> <a href="#">21. 65 P.S. 67.903</a> <a href="#">22. 65 P.S. 67.1101</a> <a href="#">24 P.S. 408</a> <a href="#">24 P.S. 518</a> <a href="#">65 P.S. 67.101 et seq</a> <a href="#">42 U.S.C. 12101 et seq</a>
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### **Purpose**

The Board recognizes the importance of public records as the record of the district's actions and the repository of information about this district. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board policy and administrative regulations.

### **Definitions**

**Financial record** - any account, voucher or contract dealing with the receipt or disbursement of funds or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual's name and title; and a financial audit report, excluding the audit's underlying work papers. [\[1\]](#)

**Public record** - a record, including a financial record, that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania's Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.

**Record** - information, regardless of physical form or characteristics, that documents a district transaction or activity and is created, received or retained pursuant to law or in connection with a district transaction, business or activity, including: a document; paper;

7. Ensure district staff are trained to perform assigned job functions relative to requests for access to records.

Upon receiving a request for access to a record, the Open Records Officer shall: [\[7\]\[15\]\[22\]](#)

1. Note the date of receipt on the written request.
2. Compute and note on the written request the day on which the five-day period for response will expire.
3. Maintain an electronic or paper copy of the written request, including all documents submitted with the request, until the request has been fulfilled.
4. If the written request is denied, maintain the written request for thirty (30) days or, if an appeal is filed, until a final determination is issued or the appeal is deemed denied.

### **Guidelines**

Requesters may access and procure copies of the records during the regular business hours of the district offices at 20 Welden Drive in Doylestown, PA. Except for holidays when district offices are closed, normal business hours are Monday through Friday from 8:Mo

Written requests may be submitted to the district in person, by mail, to a designated facsimile machine, and to a designated e-mail address.

Each request must include the following information: [\[5\]](#)[\[13\]](#)

1. Identification or description of the requested record, in sufficient detail.
2. Medium in which the record is requested.
3. Name and address of the individual to receive the district's response.

The district shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law. [\[13\]](#)

### Fees

Fees charged for copying a public record will be \$0.25 per page, per side, plus the cost of postage if the copy is to be mailed and the record is more than fifty (50) pages in length. Once per calendar year, the district will waive the copying fee for the first fifty (50) pages for an individual or organization. If a "true and correct certification" is required, there will be an additional charge of \$2.00. The district may require prepayment of the fee if the total fee is estimated to exceed \$100. [\[14\]](#)

The Superintendent may waive duplication fees when the requester duplicates the record or the Superintendent deems it is in the public interest to do so. No fee may be imposed for review of a record to determine whether the record is subject to access under law. [\[14\]](#)

### Response to Request

Upon receipt of a written request for access to a record, the Open Records Officer shall determine if the requested record is a public record and if the district has possession, custody or control of that record. [\[15\]](#)

The Open Records Officer shall review the request and respond promptly, within five (5) business days of receiving a written request unless said response cannot be generated within five (5) business days. The five (5) business days begin the day after the request is received

A requester may consent in writing to an extension that exceeds thirty (30) days, in which case the request shall be deemed denied on the

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Open Records Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

The Open Records Officer may deny a request for access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the district. [\[17\]](#)

The Open Records Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record's contents shall be made accessible even when the record is physically unavailable. [\[17\]](#)

Information that is not subject to access and is redacted from a public record shall be deemed a denial. [\[18\]](#)[\[21\]](#)

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state's Office of Open Records within fifteen (15) business days of the mailing date of the Open Records Officer's response or deemed denial. [\[22\]](#)