

SCHOOL BOARD RECORDS

The official minutes of the Board and other records kept by the Board are public records and may be inspected and/or copied by anyone following the procedures set forth herein with the exceptions listed below :

Records that May Not be Inspected and/or Copied

All records kept by the Board may be inspected and/or copied with the following exceptions:

- 1) Information of a personal nature, such as that kept in a personal school permanent record, medical, or similar file, if the public disclosure thereof would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in the particular instance: Provided, that nothing herein shall be construed as precluding an individual over 18 years of age from inspecting or copying his/her own personal, medical, or similar file; or of a parent from inspecting or copying the file of his/her child;
- 2) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment or academic examination;
- 3) Information specifically exempted from disclosure by statute, such as that exempted by the Family Educational Rights and Privacy Act of 1974 as amended;
- 4) Internal memoranda or letters received or prepared by the Board or its employees.

Procedures for Inspecting and/or Copying Records

- 1) Requests to inspect and/or copy records shall be made directly to the Superintendent, who by law is the official custodian of Board records. Requests must be in writing and must state with reasonable specificity the information sought.
- 2) If at all possible, the information will be made available at the time the request is made. However, if substantial time is needed to locate and/or copy the information requested, the Superintendent shall notify the person making the request of when he may obtain the information. In all cases, the information will be supplied within 5 working days unless the nature and/or volume of the request necessitates the expenditure of an unusual amount of time.

- 3) The Superintendent shall deny a request for information only for the reasons stated above and any such denial shall be in writing stating the reason for the denial.

Cost of Copying Board Records

- 1) The Superintendent shall post in the Board office a copy of cost which shall be sufficient to cover the total costs involved (paper plus copy machine operation, overhead, and maintenance). The posted amount shall be charged for all copies of Board records.
- 2) Copies of records which can be located and copied in one hour of secretarial time shall be charged on the basis of the copy cost above. Copies of records which require more than one hour of secretarial time to locate and copy shall be charged on the basis of the copy rate plus a rate for secretarial time calculated at the current hourly rate for a Secretary II.

SOURCE: Board of Education Minutes

DATE: August 20, 1979 - October 16, 2000

LEGAL REFERENCE: West Virginia Code: Chapter 29B
U.S. Code: PL 93-380 and PL 95-568

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