

PUBLIC’S RIGHT TO KNOW/FREEDOM OF ACCESS

The Bangor School Committee recognizes the importance of a well-informed public to the operations of the school department. The School Committee will comply with all applicable sections of Maine’s Freedom of Access Act.

The School Committee designates the Superintendent, or designee, as the Public Access Officer for Bangor School Department.

Except as otherwise provided by statute, all School Committee proceedings shall be open to the public, any person shall be permitted to attend, and any records or minutes of such proceedings that are required by law shall be made promptly and shall be open to public inspection.

School Committee agendas and minutes, proposed and approved School Committee policies, annual budget reports, student handbooks and School Committee Member Freedom of Access training documentation/certificates shall be available for immediate inspection and/or copying in the Superintendent’s Office. Requests for all other public records shall be made, preferably in writing, to the Superintendent, specifying the records desired for inspection/copying. The Superintendent/designee may request clarification concerning which public record or records are being requested.

The Superintendent/designee shall acknowledge receipt of a request for inspection and/or copying of public records within a reasonable period of time.

If the request is denied, the Superintendent/designee shall inform the requestor in writing within five working days of the request and shall state the reason for denial. Otherwise, inspection and/or copying may be scheduled to occur within a reasonable period of time following the request at a time that will not delay or inconvenience the regular activities of the school department.

The school department is not required to create a record that does not exist.

ELECTRONICALLY STORED PUBLIC RECORDS

In compliance with the Freedom of Access Act, the school department will provide access to an electronically stored public record as a printed document or in the medium in which the record is stored, at the requestor’s option, except that the school unit is not required to provide access to an electronically stored public record as a computer file if the school unit does not have the ability to separate or prevent the disclosure of confidential information contained in or associated with that file. The school department is not required to provide access to a computer terminal.

FEES

Except as otherwise provided by law or court order, Bangor School Department may charge fees as follows:

- A. A fee of ten cents (10 cents) per page to cover the cost of copying.
- B. An hourly fee (\$25 per hour) after the two hours of staff time per request to cover the actual cost of searching for, retrieving, and compiling the requested public record. Compiling the public record includes reviewing and redacting confidential information.
- C. If conversion of a public record into a form susceptible of visual or aural comprehension or into a usable format, a fee to cover the actual cost of translation.



- D. A charge for the actual mailing costs to mail a copy of the record.
- E. No fee shall be charged for inspection of public records, unless the record cannot be inspected without being compiled or converted, in which case paragraph B or C applies.

As required by law, the school department will provide the person making the request an estimate of the time necessary to complete the request and the total cost and, if the estimated total cost exceeds \$20.00, will inform the requestor before proceeding. If the estimated total cost is greater than \$100.00 or if the requestor has previously failed to pay a fee assessed for access to Bangor School Department records, the requestor may be required to pay all or a portion of the estimated cost prior to the search, retrieval, compiling, conversion and copying of the public record.

The Superintendent is directed to develop and implement such administrative procedures as may be necessary to carry out this policy.

Legal Reference: 1 M.R.S.A. § 401 et seq.
1 M.R.S.A. § 408-A, sub-§ 8

Cross Reference: BDC - Executive Sessions
GBJ - Personnel Records and Files
JO - Student Records

ADOPTED: October 9, 2012
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