

RELEASE OF INFORMATION

The Nixa R-II School District believes that local control of public education is best served when the patrons of the district and other members of the public have access to the meetings, records and votes of the Board of Education.

In limited situations, important considerations of public policy require meetings of the Board, including any record or vote, to be closed to the public. Meetings, records and votes shall be closed to the public to the extent allowed by law.

The following provisions shall govern the release of information concerning the meetings, records and votes of the Board:

1. The custodian of records is responsible for responding to requests for district records. Requests for records will be directed to the custodian, whose identity will be made available on request and will be advertised as appropriate. The Board appoints the following person as custodian of records:

Director of Finance
Faught Administration Center
301 S Main St.
Nixa, MO 65714
(417) 875-5400

In addition, the district will train at least one (1) additional employee to serve as custodian of records in the absence of the official custodian.

2. The custodian of records shall:
 - ▶ Respond to each request for inspection or copying as soon as possible but no later than the end of the third business day following the date the request is received by the custodian. The three-day requirement may be exceeded for reasonable cause.
 - ▶ Give a detailed explanation of the cause for delay and the place and earliest time and date the record will be available if access is not granted immediately.
 - ▶ If access is denied, upon request provide a written statement of specific statutory grounds for such denial no later than the third business day following the date that the request for the record is received.

3. Except as otherwise provided by law, the custodian of records shall provide access to, and upon request furnish copies of, public records subject to the following:
- ▶ If records are requested in a certain format, the custodian of records will provide the records in the requested format if such format is available.
 - ▶ The district may charge fees for copying, duplicating time and research time. Copying fees shall not exceed ten (10) cents per page for a paper copy not larger than nine (9) by 14 inches. The hourly fee for duplicating time will not exceed the average hourly rate of pay for clerical staff of the district. Research time required for fulfilling records requests may be charged at the actual cost of the research time. The district will produce the copies using the employees that result in the lowest amount of charges for search, research and duplication time.
 - ▶ Fees for providing access to computer records, recorded tapes, disks, videotapes, films, pictures, maps, slide graphics, illustrations or similar audio or visual items shall include only the cost of copies, staff time and the cost of the disk, tape or other medium used for the duplication. Charges for staff time will not exceed the average hourly rate of pay for staff of the district required for making copies and programming, if necessary. Fees may include the actual costs of programming if programming is required beyond the customary and usual level to comply with a request for records or information.
 - ▶ Payment of copy fees may be requested prior to copying. The person requesting the records may request an estimate of the cost prior to copying.
 - ▶ Copies may be furnished free or at a reduced rate if the Board determines that it is in the public interest because it is likely to contribute to public understanding of the operations or activities of the district and is not primarily based on commercial interests.
 - ▶ The custodian of records shall inform the district staff of the mandated retention schedules from the Secretary of State's office and will work closely with district technology staff on the retention of computer records.
 - ▶ Once the district has been served with a summons, petition, complaint, counterclaim or cross-claim in a civil action to enforce the Sunshine Law, the custodian of records shall not transfer custody, alter, destroy or otherwise dispose of the public record sought to be inspected and examined until the court directs otherwise, regardless of the applicability of an exemption or the assertion that the requested record is not a public record.

4. If a Board member or a member of a district committee subject to the Missouri Sunshine Law transmits any message to enough members that, when counting the sender, a majority of the Board or committee members receive the message, the message shall also be concurrently transmitted to the custodian of records or the member's district office computer, if applicable, in the same format. The message shall be considered an open record unless it is a closed record in accordance with law.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 10/08/1998

Revised: 09/09/2004

Cross Refs: CH, Policy Implementation and Dissemination
KB, Public Information Program
KBA, Public's Right to Know
KKB, Audio and Visual Recording

Legal Refs: §§ 610.023, .025, - .028, RSMo.

Nixa R-II School District, Nixa, Missouri