

PUBLIC ACCESS TO DISTRICT RECORDS

1. Statement of Purpose

The Board of Trustees of Bonneville Joint School District No. 93 recognizes the public's right to examine and obtain copies of public records concerning the administration and operation of the School District. The School District will ensure access to records in accordance with the Idaho Public Records Act, Idaho Code § 74-101 through § 74-126, while protecting the confidentiality of records exempt from disclosure.

2. PUBLIC RECORDS REQUEST PROCESS

a. Designation of Custodian

- i. The Clerk of the Board of Trustees serves as the School District's Public Records Custodian, responsible for administering access to records, coordinating responses, and determining applicable exemptions.

b. Submission of Requests

- i. Requests for public records may be submitted electronically through the School District's online Public Records Request Form, available at d93.org/4297F1 or in writing to the School District Office at 3497 N Ammon Road. Oral requests for public records will not be accepted.
- ii. Requests must include the requester's name, residential address, and telephone number, as well as a written declaration that they are an Idaho resident.
- iii. Requests submitted after business hours (after 4:30 pm MT) or on District holidays will be deemed received on the next scheduled working day.

c. Response Timelines

i. *Resident Requests*

1. The Custodian shall grant or deny a request within three (3) working days of receipt. If additional time is needed, written notice must be provided, and the response completed within ten (10) working days of the receipt of the request.

ii. *Non-Resident Requests*

1. The Custodian shall grant or deny requests from a person who is not a resident and not employed by a resident within twenty-one (21) calendar days after the request is submitted.

2. If additional time is required to complete the request, notice shall be provided and records supplied within thirty-five (35) calendar days of receipt.

d. Scope and Clarification

- i. Employees of the School District may not inquire into the purpose of the request except to ensure that the requested records will not be used as an email, mail, or telephone distribution list or to protect personal information from disclosure.
- ii. When a request is likely to be voluminous or require significant staff time, the Custodian may communicate with the requester to help narrow the scope of the request or identify the specific records sought.
- iii. If the requested records are publicly available on the School District website or another publicly accessible location, the School District may respond to the request by providing the internet address (URL) or location where the records are available rather than providing duplicate copies.

e. Redactions and Denials

- i. If a record contains both exempt and non-exempt information, the non-exempt portions will be released with redactions.
- ii. Any denial or partial denial shall be provided to the requester in writing and shall cite the statutory reason for denial, and inform the requester of the right to appeal the denial.
- iii. The Superintendent is authorized to seek an injunction to prevent the disclosure of records when there is sufficient reason to believe that such disclosure would not be in the public interest and would substantially or irreparably damage an individual or a vital function of the School District.

3. FEES AND COSTS

- a. The School District charges fees as authorized under Idaho Code § 74-102.

- i. Fee schedules are set forth separately in Exhibit 4297E1 – Public Records Fee Schedule, as adopted by the Board of Trustees.
- ii. All fees reflect actual costs for labor, copying, and materials.
- iii. Payment may be required before commencing work to provide the requested records.

b. Fee Waiver

- i. Upon written request by the requester, the Superintendent / designee may waive fees for Idaho residents who sufficiently demonstrate that:

1. the request contributes significantly to public understanding of government operations,
2. the request is not primarily for personal or commercial benefit, and
3. that the requester lacks sufficient financial resources to pay the fee.

c. Aggregation of Requests

- i. The School District may aggregate multiple related requests from the same requester to prevent fee circumvention. The School District will not aggregate unrelated requests submitted by the same requester.
- ii. The School District may limit the scope of multiple related requests from the same requester to only those records that have not already been provided in response to prior requests.

4. INSPECTION AND SECURITY OF RECORDS

- a. Requesters who wish to inspect, rather than receive copies of, public records may do so by appointment during the School District's regular business hours and under staff supervision.
- b. The purpose of such supervision is to protect records from alteration, removal, or destruction and to ensure that confidential information is not inadvertently disclosed.
- c. Staff may require reasonable advance notice to prepare records for inspection, and inspection may occur only in designated areas under the observation of authorized personnel.

5. RECORDS EXEMPT FROM DISCLOSURE

- a. Certain records are exempt from disclosure as provided in Idaho Code §§ 74-104 through 74-111, including but not limited to:
 - i. Any public record exempt from disclosure by federal or state law or federal regulations to the extent specifically provided for by such law or regulation, including but not limited to the Family Educational Records Privacy Act,
 - ii. Personnel records except for those items specifically permitted in Idaho Code § 74-106(1),
 - iii. Appraisals and cost estimates before real property transactions or bid openings, as permitted in Idaho Code § 74-107(3),
 - iv. Attorney-client communications and litigation materials, as permitted in Idaho Code §§ 74-102(1), 104(1), 107(11), 9-203(2), IRPC 1.6, IRCP 26(b),

- v. Test questions, scoring keys, or other examination data used to administer academic, employment, or licensing examinations, as permitted in Idaho Code § 74-108(6).

6. Cross Reference:

- a. [Policy 3600 – Student Records](#)
- b. [Policy 8600 – Records Management](#)
- c. [Policy 8605 – Retention of District Records](#)
- d. Exhibit 4297E1 – Public Records Fee Schedule

7. Legal Reference:

- a. Idaho Code § 74-101 et seq. – Idaho Public Records Act
- b. Idaho Code § 63-1311A – Advertisement and Hearing on Fee Increases
- c. 34 C.F.R. Part 99 – Family Educational Rights and Privacy Act (FERPA)
- d. IDAPA 08.01.01.100 – Responding to Requests for Examination and/or Copying of Public Records

8. Dates of Adoption, Review, and Revision

- a. Date of Adoption: 03-09-2005
- b. Revision Dates:
 - i. 08-10-2011; 10-10-2012; 07-29-2015; 01-09-2019
- c. Review Dates:
 - i. 03-11-2020
 - ii. 04-08-2026