

## South Burlington School District Records and Document Requests Procedures

### Rationale:

These procedures are to provide guidance with public records requests in accordance with the provisions of [1 V.S.A. § 315-320](#). "Access to Public Records and Documents."

### Definitions:

Business Day: is defined as the period of time the district offices are open to the public. This is generally Monday through Friday except legal holidays and administrative breaks. Standard operating hours are 8:00 a.m. to 4:00 p.m.

Public Agencies: includes any agency, board, department, commission, committee, branch, instrumentality or authority of the state or any agency, board, committee, department branch, instrumentality, commission or authority of any political subdivision of the state.

Public Information Officer (PIO): The person designated by the District charged with managing all information records/document request.

Public Record/Document: means all papers, documents, machine readable materials or any other written or recorded matters, regardless of their physical form or characteristics that are produced or acquired in the course of district business. Title 1, Chapter 5, Subchapter 3 may be referenced for decisions on what is public information and what is not.

Requesting Party: is any person who requests a copy of a District record or document.

### Procedure:

1. A requesting party may submit a written public records request to the South Burlington PIO. The preferred document is the Public Record Request form; however, an acceptable written request may also include: letters, emails, faxes, and any other form of written request that includes a valid reply address. This request shall provide the District with an adequate description of the materials requested.
2. Any other member of the District shall direct the requesting party to make the written request to the District's Public Information Officer (PIO) and then immediately notify the PIO of such a request.
3. The public record request shall be produced to the requesting party within no more than three (3) business days of the receipt of the request, unless otherwise permitted by law:
  - a. If the information contains some exempt content, but otherwise is subject to disclosure, the District shall redact the information it considers to be exempt and provide an explanation of the basis for denial of the redacted information.
  - b. If the PIO determines, in consultation with legal counsel, that the record/documentation or portions of the information is exempt from disclosure under Vermont or other applicable law, this will be certified in writing, stating the asserted statutory basis for denial and a brief statement of the reasons and supporting facts. This notification shall be made within three (3) business days of the request, unless otherwise allowed under law. The PIO shall also notify the requesting party of the right to appeal to the Superintendent of Schools, within thirty (30) calendar days of the issuance of a denial.
  - c. If a denial of access is appealed to the Superintendent of Schools, the Superintendent shall decide on the appeal within five (5) business days of receipt of such appeal. If the denial is upheld, in whole or in part, the District through the Superintendent or his/her designee shall notify the requesting party of provisions for judicial review under Vermont law.

4. If a requesting party has a disability that requires an accommodation to gain equal access to the public record requested, the individual shall notify the PIO of the accommodation requested. The District shall provide consideration to the accommodation requested, but reserves the right to propose an alternative accommodation as long as it achieves equal access.
5. Under the Vermont Public Records Act, the District is authorized to charge and collect from the requesting party the actual cost of providing the copy, the cost of staff time associated with complying with a records/document request and the costs associated with mailing or transmitting the record by facsimile or other means. A fee schedule will be established by the PIO, see attachment "A."
6. If a District record or document is maintained in an electronic format, the record may be made available for copying in either standard electronic format or paper format, as specified by the requesting party. The District is not required to create a public record or document not currently in existence, or to convert paper public records to electronic format.
7. While meeting the provisions of the law the District shall make reasonable rules to prevent disruption of District business, preserve the security of the record/document, and to protect such records/documents from damage.
8. Federal and state laws governing access to specific records, such as student educational records, may supersede these procedures and access to information.
9. The PIO shall maintain copies of such public records requests and responses.

**Contact Information to File a Request:**

Mr. Gary Marckres, PIO/Director of Operations & Financial Management  
Office of Operations and Finance  
550 Dorset Street  
South Burlington, VT 05403  
Phone: (802) 652-7053  
FAX: (802) 652-7013  
Email: [gmarckres@sbschools.net](mailto:gmarckres@sbschools.net)

**Contact Information to File an Appeal:**

Mr. David Young, Superintendent  
South Burlington School District  
500 Dorset Street  
South Burlington, VT 05403  
Phone: (802) 652-7252  
FAX: (802) 652-7257  
Email: [dyoung@sbschools.net](mailto:dyoung@sbschools.net)

## South Burlington School District Public Records/Document Request Fee Schedule

The fees established for copying public records/documents, as allowable under 1 V.S.A. § 316, "Access to Public Records and Documents" are as follows:

### **Labor Charges:**

Staff time involved in physically duplicating a record:	\$ .33/minute after the first 30 minutes
Senior level staff time, IT time for extracting data from Databases or performing similar tasks, or create a new Public record:	\$.57 per minute
Any other staff time for which cost can be charged and Collected under this section:	\$.45 per minute

### **Photocopy Charges:**

Photocopies, single-side pages up to 8.5 x 14	\$.05 per single-side page
Photocopies, double-side pages up to 8.5 x 14	\$.09 per double-side pages
Photocopies, color pages up to 8.5 x 14	\$1.00 per single-side page
Computer generated paper copies up to 8.5 x 14	\$.02 per single-side page

### **For Audio tapes, video tapes, DVDs or CDs**

Actual cost and IT time

# PUBLIC RECORD REQUEST FORM

South Burlington School District  
Office of Operations and Finance  
550 Dorset Street  
South Burlington, VT 05403

Your public record request should be made to the PIO/Director of Operations & Financial Management (*please print*)

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_ **Phone #:** \_\_\_\_\_

**Requested Information:**

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**Signature:** \_\_\_\_\_

*For Office Use Only:*

**Date Received:** \_\_\_\_\_ **By:** \_\_\_\_\_

**Notes:** \_\_\_\_\_

cc: Superintendent of Schools  
Director of Operations