

Barbour County Schools

Board of Education Records: FREEDOM OF INFORMATION REQUESTS

1. **Scope.** This policy establishes a procedure for obtaining public records from the Barbour County Board of Education under the Freedom of Information Act (W. Va. Code 29B-1-1 et seq).
2. **Purpose.** The West Virginia Freedom of Information Act (W. Va. Code 29-1-1) provides that persons have a right to inspect or copy any public record of the Barbour County Board of Education. W. V. Code 29B-1-2 provides that a "public record includes any writing containing information related to the conduct of the public's business, prepared, owned and retained by a public body." W. V. Code 29B-1-3(5) provides that the Board "...may establish fees reasonably calculated to reimburse it for its actual cost in making reproductions of such records."
3. **Availability of Public Record.**
 - 3.1. Persons requesting to inspect or copy (a) public record(s) of the Barbour County Board of Education and/or Barbour County Schools under the Freedom of Information Act must do so in writing addressed to the superintendent of schools. The request must state with reasonable specificity the information sought.
 - 3.2. Neither the Barbour County Board of Education nor Barbour County Schools is required to provide information pursuant to a FOIA request that is specifically exempted from disclosure under W. Va. Code 29B-1-4.
 - 3.3. The superintendent or designee will notify the person making a FOIA request of either: (a) the date, time and place where the requested information may be inspected; (b) the date, time and place where the requested information may be picked up if the requestor has asked that the superintendent provide copies of the information requested; or (c) the denial of the request (in writing) with the reasons for the denial.
 - 3.4. The superintendent will provide reasonable facilities during regular business hours for making memoranda or abstracts from the public records. The superintendent, if necessary to prevent undue interference with the regular discharge of the duties of the Barbour County Board of Education, may, provided they neither violate the spirit and intent of the Freedom of Information Act nor prevent the requestor from obtaining the information requested, impose restrictions on employee time and agency resources that are reasonably necessary in order to allow the Barbour County Schools to function normally.

4. Fees.

4.1. Persons seeking (a) public record(s) under the Freedom of Information Act (W. Va. Code 29B-1-1 et seq) and who request that the information contained in the public record(s) be reproduced in copy form, will be required to reimburse the Department of Education 40 cents per page payable prior to release of the requested copies.

Adopted: 1974

Revised: 4/28/08; 11/11/96; 1983

Authority: WV Constitution, Article XII, 2

WV Code 18-2-5; 29B-1-3(5)

WVDE Policy 1230