

REQUESTS FOR INFORMATION

Martinsville City School Board is committed to full compliance with Virginia's Freedom of Information Act (FOIA), and processes all requests for information in accordance with the following procedures.

Travis Clemons is Martinsville City School Board's FOIA Officer. The FOIA Officer serves as a point of contact for members of the public in requesting public records and coordinates the School Board's compliance with FOIA. The FOIA Officer may be reached at:

746 Indian Trail
P.O. Box 5548
Martinsville, Virginia 24115
Email: tclemons@martinsville.k12.va.us
Telephone: (276) 403-5722
Fax: (276) 403-5825

Access to Records

1. Official records subject to disclosure under the Freedom of Information Act are open to inspection and copying during the regular office hours of the Martinsville City School Board's central administrative office.
2. When practicable, the following records are available on request at the central office:
 - School Board meeting minutes
 - School Board meeting agenda packets
3. Unless otherwise specified by the FOIA Officer, inspection of records takes place at the central office of Martinsville City Public Schools, and are not removed from that site. Copies may be requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database shall be produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by Martinsville City Central Office staff, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.
4. One of the following forms of photo identification must be presented, or a photocopy thereof must be provided, before any person is allowed to inspect any records or receive copies of any records:
 - press identification identifying requester as a representative of a newspaper or magazine with circulation in the Commonwealth or of a radio or television station broadcasting in or into the Commonwealth, or
 - driver's license or other official photo identification showing that requester is a citizen of the Commonwealth.

5. The FOIA Officer or designee is present during inspection or copying of records. A record of each inspection shall be made, using form KBA-F2 Record of Inspection and/or Delivery of Copies.

Request Procedures

1. Requests for access to records shall be made with reasonable specificity.
2. Requests shall be directed to the Martinsville City Public Schools FOIA Officer at:
746 Indian Trail
P.O. Box 5548
Martinsville, Virginia 24115
Email: tclemons@martinsville.k12.va.us
Telephone: (276) 403-5722
Fax: (276) 403-5825
3. Requesters should make their requests using Form KBA-F1 Request for Public Records. Requests received via telephone are transcribed onto Form KBA-F1 by School Board staff. Written requests other than on Form KBA-F1 Request for Public Records are appended to a copy of the form by staff, who fill out as much of the form as possible.
4. Central Office staff provide Form KBA-F1 Request for Public Records and a copy of this regulation upon request to any person interested in obtaining access to records, and shall instruct the requester to direct the request to the FOIA Officer, with a notation indicating the date and time the request was received.

Responding to Requests

1. Promptly, but in all cases within five working days of the request, the school division provides the requested records to the requester or makes one of the following responses in writing:
 - (a) The requested records are being entirely withheld. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia code section(s) or other law that authorizes the withholding of the records.
 - (b) The requested records are being provided in part and are being withheld in part. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) or other law which authorizes the withholding of the records. When a portion of a requested record is withheld, the school division will delete or excise only that portion of the records to which an exemption applies and will release the remainder of the record.

- (c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response will include contact information for the other public body.
- (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response will specify the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses shall be provided within an additional seven-day period.

No public record is withheld in its entirety on the grounds that some portion of the public record is excluded from disclosure by law. A public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion may be withheld, and all portions of the public record that are not so excluded are disclosed.

The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search, and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

- 2. The five-day period shall begin on the first working day following the day the request is received by the school division, and ends at the close of business on the fifth working day following receipt of the request. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice shall not be counted in calculating the five work days.

Processing of Requests

- 1. The FOIA Officer, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days.
- 2. If the FOIA Officer is unsure whether the requested documents should be provided to the requester, legal advice shall be promptly sought.
- 3. If the FOIA Officer is uncertain whether the requested records exist or where they may be located, efforts shall be promptly initiated to locate the records or determine whether they exist.
- 4. If the requested records will be made available either in whole or in part, the FOIA Officer promptly consults with central office staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual

records must be redacted prior to inspection and copying, the cost of doing this is taken into account. The following costs are charged at the rates indicated, not to exceed actual cost:

- Staff member search time, charged by the quarter hour. Depending on the staff member(s) involved in the search, rates of \$12.50 per quarter hour may apply.
 - Computer search time, charged by the quarter hour. Depending on the staff member(s) involved in the computer search, rates of \$2.00 to \$12.50 per quarter hour may apply.
 - Computer printouts, charged at the rate of fifteen (15) cents per page.
 - Photocopies (including those necessary to perform redactions), charged at the rate of fifteen (15) cents per page.
 - Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges).
5. If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed \$200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed \$200, the Central Office staff may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.
 6. Before processing a request for records, the FOIA Officer may require the requester to pay any amounts owed to the School Board for previous requests for records that remain unpaid 30 days or more after billing.
 7. If school division records have been transferred to any entity, including any other public body, for storage, maintenance, or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.
 8. Any records to be disclosed shall be assembled for inspection and copying by central office staff, under the direction and supervision of the FOIA Officer.
 9. Central office staff are responsible for recording the date the request was received, verifying photo identification and signature, and recording and assembling additional information about the request as indicated on Form KBA-F1 Request for Public Records.

Adopted:

Issued: January 30, 2000
Revised: January 8, 2007
Revised: May 14, 2007
Restated: December 10, 2012
Revised: July 11, 2016
Revised: August 15, 2016
Revised: October 9, 2017

Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3704, 2.2-3704.01, 2.2-3704.2

Cross Ref.: KBA Requests for Information
 KBA-E Requests for Information