

PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS
Board of Education Upper Marlboro, Maryland

1120
Policy No.

BOARD OF EDUCATION POLICY

Public Information Act Requests

I. Policy Statement

- A. The Prince George's County Board of Education ("Board") affirms its commitment to compliance with the Maryland Public Information Act ("MPIA"), section 4-101, *et seq.* of the General Provisions Article of the Maryland Annotated Code. It is the policy of the Board to provide access to public records of Prince George's County Public Schools ("PGCPS"), if access is permitted by law, by minimizing costs and time delays to applicants.
- B. The people's right to have access to the documents detailing final determinations is basic to our democratic society. The Board is a public body, and its meetings and records are a matter of public information, subject to restrictions set forth by federal and state laws and regulations, and pertinent court rulings.

II. Purpose

To ensure that responsible PGCPS officials respond to all public record requests made by individuals, organizations and the media in compliance with the MPIA.

III. Definitions

Within the context of this policy, the following definitions apply:

- A. *Applicant* – A person or governmental unit that asks to inspect a public record.
- B. *Business day* – A day during which the central offices of PGCPS are open for business in accordance with the approved, official school system calendar. This does not include weekends, or PGCPS holidays.
- C. *Custodian* – An authorized individual who has physical custody and control of a public record of the school system.
- D. *General information documents* – Specific public records that the Board has designated that are to be made available to any Applicant immediately upon request, specifically:
 - 1. official minutes from open meetings of the Board;

2. written and adopted Board policies;
 3. written and approved administrative procedures of the Chief Executive Officer (“CEO”);
 4. school system calendar;
 5. annual budget;
 6. PGCPS organizational chart;
 7. Board Action Summaries; and
 8. an annually updated roster of PGCPS employees’ names, job titles, current assignment, most recent hire date, and salary.
- E. *Indigent individual* – An individual whose family household income is less than 50% of the median family income for the State of Maryland as reported in the Federal Register.
- F. *Public Record* – The original or any copy of any documentary material that
1. is made or received by the Board or PGCPS employee in connection with the transaction of public business and is in any form, including, but not limited to:
 - a. a card;
 - b. a computerized record or other electronic storage media;
 - c. correspondence, including printed or electronically stored email messages;
 - d. a drawing;
 - e. film or microfilm;
 - f. a form;
 - g. a map;
 - h. a photograph or Photostat;
 - i. an audio and/or video recording; or
 - j. a tape.
 2. A *public record* includes a document that lists names, job titles, current assignment, most recent hire date, and salary of any PGCPS employee.
- G. *Regular business hours* – 9:00 a.m. to 5:00 p.m. on any business day.

IV. Standards

A. Right to Access

Except as otherwise provided by law, a custodian shall permit an Applicant to inspect any public record during regular business hours. PGCPS's search for requested records will be reasonably calculated to uncover responsive records.

B. There is no obligation to create records to satisfy a public information request, and PGCPS will not do so.

C. Privileged and/or confidential information is not subject to release. This includes, but is not limited to, documents and records such as:

1. student or employment records with personally identifying information;
2. employee home addresses and telephone numbers;
3. personnel evaluations and employment recommendations;
4. trade secrets; and
5. test questions.

D. Prior to submitting a request, Applicants are encouraged to review the websites of PGCPS and the Maryland State Department of Education ("MSDE"). The Board's BoardDocs webpage (the Board's public governance website) hosts records such as official Board meeting minutes, presentations made to the Board, and Board meeting agendas.

E. If an Applicant requests a general information document and it is not available on PGCPS's website, the most recent version will promptly be provided to the Applicant electronically, or the document will be made available for inspection during a business day. Other public records will be available for inspection, pursuant to the CEO's administrative procedure, upon written request. However, public records will not be released for inspection if disclosure would be contrary to the public interest or as proscribed by federal or state law.

F. Requests for student records, including student directory information and student transcripts, are not covered by this policy. (See Administrative Procedures 5125 and 5134)

G. Public records shall not be destroyed so as to avoid compliance with an open request.

V. Implementation and Responsibilities

A. The CEO is directed to implement an administrative procedure consistent with this policy. The administrative procedure shall establish a reasonable fee schedule that bears a reasonable relationship to the recovery of actual costs incurred by PGCPS in responding to an Applicant's request. Provisions governing the waiver of fees for indigent individuals shall be included.

- B. An annual report will be posted on the PGCPs website by November 31 that summarizes statistical information of public record requests received during the preceding fiscal year.
- C. As permitted by law, public records requests and PGCPs's responses may be made available for inspection upon request.

VI. References

- A. Legal
 - 20 U.S.C. § 1232g
 - 34 C.F.R. Part 99
 - §§ 4-101, *et seq.*, Md. Code Ann., General Provisions 13A.08.02, Code of Maryland Regulations (COMAR)
- B. Other Board Policies
- C. Relevant Data Sources
- D. Other
 - Office of the Attorney General of Maryland, Public Information Act Manual
 - Administrative Procedure 5125 (Individual Student School-Based Records)
 - Administrative Procedure 5134 (FERPA Annual Notice and Directory Information)

VII. History

ADOPTED: 06/23/2022

REVIEWED:

AMENDED:

EFFECTIVE: 06/23/2022