

SCHOOL DISTRICT

ADMINISTRATIVE
REGULATION

801-AR-2. FEES FOR PUBLIC RECORDS REQUESTS

NOTE: EACH SCHOOL DISTRICT SHOULD RESEARCH, DETERMINE AND ESTABLISH A SET FEE FOR EACH OF THE CATEGORIES BELOW, BASED ON THE SPECIFIED LIMITATIONS FOR EACH. THE SPECIFIC FEE YOUR DISTRICT WILL CHARGE FOR EACH FUNCTION SHOULD BE LISTED AND MADE AVAILABLE AS A LIST OF FEES TO ALL REQUESTERS OF ACCESS TO A PUBLIC RECORD.

REMINDER: THE STATE'S OFFICE OF OPEN RECORDS WILL PROVIDE INFORMATION REGARDING DUPLICATION FEES AND WILL CONDUCT A BIENNIAL REVIEW OF FEES CHARGED BY SCHOOL DISTRICTS.

The district will not charge a fee for the Open Records Officer's review of a record to determine if the requested record is a public record subject to access under law, Board policy and administrative regulations.

The Open Records Officer will ensure that the district establishes, maintains and disseminates a current list of reasonable fees that requesters must pay in order to receive access to a requested record.

The district's established list of reasonable fees applicable to records requests will comply with the following restrictions:

1. Postage – fees will not exceed the actual mailing cost.
2. Duplication – fees for photocopying, printing from electronic media or microfilm, copying onto electronic media, transmission by facsimile or other electronic means, and other methods of duplication.

Duplication fees will be established and reviewed biennially by the Office of Open Records.

Duplication fees will be charged for a request by an individual employed by or connected with a newspaper or magazine of general circulation, weekly publication, press association, or radio or television station when the purpose of the request is obtaining information for publication or broadcast, and for a request by a nonprofit organization for the conduct of educational research.

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3. Complex and Extensive Data Sets – fees for copying based on the reasonable market value of the same or closely related sets and include geographic information systems and integrated property assessment lists.

These fees do not apply to a request by an individual employed by or connected with a newspaper or magazine of general circulation, weekly publication, press association, or radio or television station when the purpose of the request is obtaining information for publication or broadcast, and for a request by a nonprofit organization for the conduct of educational research.

4. Certification – fees for official certification of copies if the certification is for the purpose of legally verifying a public record and is requested by the requester.
5. Conversion to Paper – duplication fees for a record maintained only electronically or in other nonpaper media will be limited to the lesser of either the fee for duplication on paper or in the original media, unless the requester specifically requests that the record be duplicated in the more expensive medium.
6. Enhanced Electronic Access – fees for providing enhanced electronic access, but only to the extent that the enhanced electronic access is in addition to making the records accessible for inspection and duplication by a requester.

These fees may be a flat-rate fee, a subscription fee for a period of time, per-transaction fee, a fee based on the cumulative time of system access, any other reasonable method, or a combination of these.

These fees must be reasonable; may not be established with the intent or effect of excluding individuals from access to records or their duplicates or of creating a profit for the district; and must be approved by the Office of Open Records.

Except as provided by law, no other fees may be imposed unless the district necessarily incurs costs for complying with a request for a public record, and then such fees must be reasonable.