

BOARD OF EDUCATION
Cherry Hill, New Jersey

POLICY 3570

DISTRICT RECORDS AND REPORTS

The operation of a school district results in the generation of numerous documents and official records. These must be maintained in compliance with the NJ Open Public Records Act and other laws and regulations. Members of the public have the right under law to inspect and copy (with certain exceptions) the public records of the district.

The district will maintain these records by (1) appointing the Assistant Superintendent-Business as records custodian, (2) periodically reviewing records retention with the chief school administrator and the school board or a committee thereof, and (3) retaining records according to the schedule for educational institutions promulgated by NJDARM (NJ Division of Archives & Records Management). A partial schedule, for key classes of records, is shown at the end of this policy.

Availability to the Public

For the protection of the public interest, the board believes that members of the community have a right to inspect, copy or examine the public records of the district, with certain exemptions set forth by law. Requests for district records shall be submitted to the records custodian (or designee) in writing on the appropriate form which can be found at the following: <http://www.cherryhill.k12.nj.us>. *Provided that the records sought are currently available and readily accessible (e.g., not in storage or archived), the custodian shall promptly reply to each request, either denying or granting access to the documents, but in no event shall any response be provided later than seven business days of the receipt of a completed record request form. If the requested records are not currently available, the custodian shall within seven business days advise the requestor of the date and time in which it is expected that such records will be made available.*

The custodian shall permit district records to be inspected, examined or copied during the hours that the board office is open. Immediate access must ordinarily be granted for budgets, bills, contracts, collective negotiations agreements, individual employment contracts and public employee salary and overtime information. The District shall charge a reasonable copying fee for any copies requested, which fee shall not exceed the amount(s) set by statute. Anonymous requests for government records are permitted by law. If an anonymous request is made and the estimated cost of producing copies exceeds \$5.00, a deposit may be required. Anonymous requests for personal information will not be fulfilled.

Access shall be granted in the medium requested or some other meaningful medium, unless the request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district; or requiring a substantial amount of manipulation or programming of information technology. In these cases, the board will charge a special reasonable charge. The custodian shall ensure that statements are prominently posted in district offices that describe the specific terms of the public's right to appeal a denial of access and procedures for filing an appeal.

Records Exempted from Public Access

Records exempted by law include, but are not limited to: security and emergency response procedures; purchase, lease or acquisition of real property; pending or anticipated litigation; reports of investigations in progress; matters for which disclosure would impair the right to receive federal funds; pending negotiations toward a collective bargaining agreement; most personnel and pension records of an individual; questions and answer keys (for personnel or academic examinations and job interviews); records concerning individual pupils and staff, their home addresses and telephone numbers (unless waived by the individual); documents, reports and recommendations that involve unwarranted invasion of privacy; medical and psychological records. The records custodian will keep confidential and edit out information in records that disclose social security numbers, credit card information, drivers' license numbers and other protected information.

Record Retention

Record retention periods in conformance with state and federal codes, regulations, and statutes of limitation may be accessed through the New Jersey Division of Archives and Records Management (NJDARM) in the School District Records Retention and Disposition Schedule located at <http://www.state.nj.us/state/darm/links/retention.html#eds>. The records custodian will ensure that records are retained and appropriately stored in accordance with State and federal statute and regulation. A partial schedule of retention periods for pertinent school record categories is listed below (Note: the School District Records Retention and Disposition Schedule must be consulted and authorization from NJDARM sought prior to any destruction of records.

Partial Record Retention Schedule

1. *Financial records*: 7 (seven) years
2. *Agendas and minutes*: Permanent for originals; 1 year for copies
3. *Resolutions of the school board*: Permanent
4. *Administrative policy and advisory statements*: Permanent
5. *Correspondence, including emails*: 3 (three) years for general external correspondence; one year for internal correspondence
6. *Official public meeting notice*: 3 (three) years
7. *Legal notice in newspaper*: 7 (seven) years
8. *Publisher's affidavits*: 10 (ten) years
9. *Tape recordings of school board meetings (audio tape and video)*: 45 (forty-five) days or until summary or verbatim transcripts have been approved as minutes
10. *Election file*: 5 (five) years for bonding election report, certificate and voting authority
11. *Other election materials*: 1 (one) year
12. *Master publications file of school newsletters, yearbooks, student handbooks, etc.*: Permanent
13. *School monitoring file (with school monitoring annual plan)*: Permanent
14. *Internal monitoring guide and action plan*: 14 (fourteen) years
15. *Academic master plan (updated every seven years)*: Permanent
16. *Support file for the academic master plan, including school evaluations*: 10 (ten) years.
17. *Fall and statistical report file*: 5 (five) years
18. *Settlements (original)*: Permanent
19. *Agency copy of routine settlements*: 3 (three) years after final settlement

School District Retention Schedule: Active Records – Administration, can be found at NJDARM School District Records Retention and Disposition Schedule reference number M7000101-999. For all other items the district will consult NJDARM School District Records Retention and Disposition Schedule for retention and disposal information.

Implementation

The chief school administrator shall periodically review the work of the records custodian with the school board or a committee thereof, to ensure that necessary steps are being taken to gather, record, disseminate, copy, store and ultimately to destroy school district records in accordance with applicable laws. Particular attention shall be paid to implementing the public's right to access records and to protecting from public access those records specifically exempted by law. If deemed necessary, the board will adopt additional rules, regulations and procedures to implement this policy.

Approved: 12/16/08

Legal References:

N.J.S.A. 10:4-6 et seq.

N.J.S.A. 18A:4-14

N.J.S.A. 18A:7A-11

N.J.S.A. 18A:11-2

See particularly:

N.J.S.A. 18A:11-2b

N.J.S.A. 18A:17-7

through -12

N.J.S.A. 18A:17-28(e)

N.J.S.A. 18A:17-35

N.J.S.A. 18A:17-36

N.J.S.A. 18A:17-46

N.J.S.A. 18A:36-19

N.J.S.A. 47:1A-1 et seq.

See particularly:

N.J.S.A. 47:1A-1.1, -5

N.J.S.A. 47:3-15 et seq.

N.J.A.C. 2:36-1.1 et seq.

N.J.A.C. 6A:16-5.3

N.J.A.C. 6A:23-2.1 et seq.

N.J.A.C. 6A:27-7.9

N.J.A.C. 6A:30-1.1 et seq.

N.J.A.C. 6A:32-7.1 et. seq.

See particularly:

N.J.A.C. 6A:32-7.1(g), -7.8

N.J.A.C. 6A:32-12.1

N.J.A.C. 6A:32-12.2

N.J.A.C. 15:3-2.1 et. seq.

Open Public Meetings Act

Uniform system of bookkeeping for school districts

Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills

Power to sue and be sued; reports; census of school children

Secretary to give notices and keep minutes, etc.

Duties of business manager

Records of receipts and payments

Accounting; monthly and annual reports

Act of violence; report by school employee; notice of action taken; annual report

Pupil records; creation, maintenance and retention, security and access; regulations; nonliability

Examination and copies of public records ("Open Public Records Act")

Destruction of Public Records Law

Child Nutrition Programs

Incident reporting of violence, vandalism and substance abuse

Double Entry Bookkeeping and GAAP Accounting in Local School Districts

Vehicle records

Evaluation of the Performance of School Districts

Student Records

Reporting requirements

School level planning

Records Retention

FCC Fifth Report and Order (Para. 47, PCC 04-190, As adopted 8/4/2004)

Annual Data Collection Plan, New Jersey State Department of Education

Records Retention Schedule, New Jersey State Department of Education

Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496

Key Words

District Records and Reports, Public Access, Records, Reports