

DISTRICT RECORDS AND REPORTS

The increasing complexity of both the law and the processes of governing a school district require the board of education to assure itself that the financial and educational operations of the district are recorded and reported in strict accordance with New Jersey and federal law.

Therefore, the chief school administrator shall present to the board each year at the regular meeting following the organization meeting a comprehensive list of legally mandated school district financial and other records and reports. The list shall identify the requesting agency and the date due. Subsequent notification of compliance shall be presented as part of the appropriate reports at regular meetings of the board.

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 district records, with certain exemptions as specifically described in statute. Any limitations on this right shall be construed in favor of the public's right to access. The board designates the Board Secretary/Business Administrator as the custodian of district records. Requests for district records shall be submitted to the custodian in writing on the appropriate form. The custodian shall reply to all requests promptly and shall grant access or deny the request within seven days, provided that the record is currently available and not in storage or archived.

The custodian shall permit district records to be inspected, examined or copied during the hours that the board office is open. Copies may be made at fees not to exceed that set by statute. 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 may add 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.

Implementation

The chief school administrator shall ensure the formulation and dissemination of rules, regulations and procedures to implement the gathering recording, disseminating, copying, storing and ultimately the destroying of 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.

Date: March 31, 2003

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**Legal References:**

<u>N.J.S.A.</u> 18A:4-6 <u>et seq.</u>	Open Public Meetings Act
<u>N.J.S.A.</u> 18A:4-14	Uniform system of bookkeeping for school districts
<u>N.J.S.A.</u> 18A:7A-11	Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
<u>N.J.S.A.</u> 18A:11-2	Power to sue and be sued; reports; census of school children
<u>See particularly:</u>	
<u>N.J.S.A.</u> 18A:11-2b	
<u>N.J.S.A.</u> 18A:17-7 through -12	Secretary to give notices and keep minutes, etc. ...
<u>N.J.S.A.</u> 18A:17-28(e)	Duties of business manager
<u>N.J.S.A.</u> 18A:17-35	Records of receipts and payments
<u>N.J.S.A.</u> 18A:17-36	Accounting; monthly and annual reports
<u>N.J.S.A.</u> 18A:36-19	Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A.</u> 47:1A	Examination and copies of public records (Right to Know Law)
<u>N.J.S.A.</u> 47:3-15 <u>et seq.</u>	Destruction of Public Records Law
<u>N.J.A.C.</u> 2:36-1.1 <u>et seq.</u>	Child Nutrition Programs
<u>N.J.A.C.</u> 6.3-1.6	Reporting and Staffing of School Districts
<u>N.J.A.C.</u> 6:3-6.1 <u>et seq.</u>	Pupil records
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6:3-6.2(g), -6.8	
<u>N.J.A.C.</u> 6:8-2.1	Reporting requirements
<u>N.J.A.C.</u> 6:8-2.2	School level planning
<u>N.J.A.C.</u> 15:3-2	State records manual

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Legal References (continued)

- 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
- Horner v. Kingsway Regional, 1990 S.L.D. 752
- Beatty v. Chester Board of Education, 1999 S.L.D. (Sept.)
- Manual for the Evaluation of Local School Districts (August, 2000)

Cross References:

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| 3543   | Office services                                       |
| 3571   | Financial reports                                     |
| 4112.6 | Personnel records                                     |
| 4212.6 | Personnel records                                     |
| 5125   | Pupil records   |
| 6142.2 | English as a second language;<br>bilingual/bicultural |
| 6171.3 | At-risk and Chapter 1                                 |
| 6171.4 | Special education                                     |
| 9322   | Public and executive sessions                         |
| 9326   | Minutes   |

