
CARROLL COUNTY PUBLIC SCHOOLS ADMINISTRATIVE REGULATIONS

BOARD POLICY KDB: OPEN BOARD RECORDS

1. Requests for documents under the Maryland Public Information Act must be in writing to the office of Community and Media Relations. The request must be acted upon within 30 days of the letter.
2. A charge will be assessed after the first two (2) hours of preparation time. The charge will be based on the actual costs of the personnel assigned to prepare the material plus a 2% administration charge.
3. Only existing documents can be accessed through a PIA request. Carroll County Public Schools is under no obligation to create documents to conform to the user's request.
4. All "public records" are covered by the Act. The term "public records" is defined in ' 10-611 (f) and includes not only written material but also photographs, photostats, films, microfilms, recordings, tapes, computerized records, maps, drawings, and any copy of a public record. See 81 Opinions of the Attorney General __ (1996) [Opinion No. 96-016 (May 22, 1996)] ("public record" includes both printed and electronically stored versions of e-mail messages); 71 Opinions of the Attorney General 288 (1986) (tape records of calls to 911 Emergency Telephone System centers are public records, but portions of the recordings are within certain exceptions to disclosure); 73 Opinions of the Attorney General 12, 24 (1988) ("public record" includes correspondence that is made or received by a unit of State government in connection with its conduct or public business). See also *Armstrong v. Executive Office of the President*, 1 F.3d 1274 (D.C. Cir. 1993) (electronic version of e-mail message is a "record" under the Federal Records Act). A private document that an agency has read and incorporated in its files is a "public record." *Artesian Ind. v. Department of HHS*, 646 F. Supp. 1004, 1007 n.6 (D.D.C. 1986).
5. Public records are any records that are made by, or received by, a covered public body in connection with the transaction of public business.
 - a. The definition also includes the salaries of public employees. ' 10-611(f)(2); *Moberly v. Herboldsheimer*, 276 Md. 211, 345 A.2d 855; opinion of the Attorney General No. 81-034 (November 23, 1981 (unpublished)).
 - b. All records possessed by an agency generally fall within the definition of "public records." Either the original documents or copies are acceptable.

- c. Records that may fall outside the definition.
 - 1. Personal notes or logs from telephone conversations or transcripts from personal conversations, as they are not considered agency records.
 - 2. A private contractor's records are not "public records" if the agency does not possess them, even if the agency has a contractual right to obtain them.
 - 3. Records that are required to be maintained by an applicant for a residential child care facility license but that never come into possession of the State agency.
 - 4. Legal records not maintained within Carroll County Public Schools.