

## CLARK COUNTY SCHOOL DISTRICT REGULATION

1211

### PUBLIC RECORDS

- I. All public records of the Clark County School District, the contents of which are not otherwise declared by law to be confidential, shall be open at all times during office hours to inspection by any person, and may be fully copied as set forth by regulation.
- II. Upon receipt of a written request to inspect or copy a public record, the office which has legal custody or control of the record shall within five business days after the date on which the office has received the request:
  - A. Copy or allow the inspection of the record;
  - B. Notify the requestor in writing that the office does not have legal custody or control of the record and where, if known, the public record is located;
  - C. Notify the requestor in writing of the date and time when the record will be available if the office cannot make the record available within five business days, or
  - D. Notify the requestor that the record is confidential, in writing, including a citation to the legal authority that makes the records confidential, after consultation with the Office of the General Counsel. Records which contain confidential information shall be provided if the confidential information can be redacted, deleted, or concealed from the portions of the records which are not confidential.
- III. Only records that already exist are considered public records. The Clark County School District is not obligated to create a record in response to a request for a copy of a public record.
- IV. The Clark County School District shall charge a fee for providing a copy of a public record for any cost over \$10. The fee shall not exceed the actual cost of providing the copy, unless:
  - A. A law or regulation sets forth a specific fee that must be charged;
  - B. The copying requires an extraordinary use of personnel or technological resources; or
  - C. A collective bargaining or other applicable agreement provides for a specific fee.

- V. No fee shall be charged for providing a copy of a public record if a specific law or regulation requires the copy to be provided without charge.
- VI. A person may request a copy of a public record in any medium in which the public record is readily available. A request for a copy of a public record in a particular medium, if that medium is readily available, shall not be refused simply because a copy in a different medium has already been made or is preferred by the person making the copy.
- VII. If a request for a copy of a public record would overly burden a particular office due to either the size or the nature of the request, as determined by the appropriate administrator, the request may be referred to another office for processing.
- VIII. If a request for a copy of a public record would require an extraordinary use of Clark County School District personnel and/or technological resources, an additional fee shall be charged for such extraordinary use. Before processing such a request, the person requesting the copy must be informed of, and pre-pay the amount of the additional fee.
- IX. A request for a copy of a public record in conjunction with litigation or related to a pending legal matter shall be deemed to involve extraordinary use of Clark County School District personnel and/or technological resources and subject to an additional fee.
- X. A list of fees that the Clark County School District charges for copies of public records shall be maintained at each office in which copies are provided.
- XI. A legible sign or notice shall be posted in a conspicuous place at each office in which copies are provided that either: (1) lists the fees that the Clark County School District charges for copies of public records, or (2) states the location where such a list may be obtained.
- XII. The superintendent or designee shall publish procedures to be followed to respond to public records requests, and a list of fees for copies of public records.

Review Responsibility: Superintendent  
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