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2. Requests shall be directed to the Alexandria City Public Schools FOIA officer, and contact information is listed on the ACPS website.
 3. Any requests received by staff are immediately forwarded to the FOIA officer with a notation indicating the date and time the request was received.
 4. A copy of this regulation is provided upon request.

57 **Responding to Requests**

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1. Prior to conducting a search for records, ACPS notifies the requestor in writing that it may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquires of the requestor whether the requestor would like to request a cost estimate in advance of the supplying of the requested records as set forth in Va. Code § 2.2-3704.F. A requestor may request that ACPS estimate in advance the charges for supplying the records requested. This will allow the requestor to know about any costs upfront, or give the requestor the opportunity to modify the request in an attempt to lower the estimated costs. Any costs incurred in estimating the cost of supplying the requested records will be applied toward the overall charges to be paid by the requestor for the supplying of such requested records.
 2. Promptly, but in all cases within five working days of receiving the request, the school division will provide the requested records to the requestor, or make one of the following responses in writing:
 - (a) The requested records are being entirely withheld. The response will identify with reasonable particularity the volume and subject matter of the withheld records and with respect to each category of withheld records, cite the specific Virginia Code section(s) that authorize(s) the withholding of records.
 - (b) The requested records are being provided in part and are being withheld in part. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) which authorize the withholding of records.
 - (c) The requested records could not be found or do not exist. If the school division knows another public body has the requested records, the response includes contact information for the other public body.
 - (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response specifies the conditions which make a response impossible. If such response is made within five working days, one of

91 the preceding responses, (a), (b) or (c), is provided within an additional seven-day
92 period.

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94 No public record is withheld in its entirety on the grounds that some portion of the public
95 record is excluded from disclosure by law. A public record may be withheld from
96 disclosure in its entirety only to the extent that an exclusion from disclosure applies to the
97 entire content of the public record. Otherwise, only those portions of the public record
98 containing information subject to an exclusion may be withheld, and all portions of the
99 public record that are not so excluded are disclosed.

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101 The school division may petition the appropriate court for additional time to respond to a
102 request for records when the request is for an extraordinary volume of records or requires
103 an extraordinarily lengthy search, and a response within the time outlined above will
104 prevent the school division from meeting its operational responsibilities. Before
105 proceeding with the petition, the school division will make reasonable efforts to reach an
106 agreement with the requester concerning the production of records requested.

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108 3. The five-day period begins on the first working day following the day the request is
109 received by the school division, and ends at the close of business on the fifth working day
110 following receipt of the request. Any time that elapses between the time the requester is
111 notified of an advance cost determination pursuant to the procedures detailed below and
112 the time that the requester responds to that notice is not counted in calculating the five
113 working days.

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115 **Processing of Requests**

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117 1. The FOIA officer, after receiving a request, promptly makes an initial determination as to
118 whether the requested records will be provided to the requester, will be withheld, either
119 completely or in part, or if it is practically impossible to provide the requested records or
120 to determine whether they are available within five days.

121
122 2. If the FOIA officer is unsure whether the requested documents should be provided to the
123 requester, legal advice is promptly sought.

124
125 3. If the FOIA officer is uncertain whether the requested records exist or where they may be
126 located, efforts are promptly initiated to locate the records or determine whether they exist.

127
128 4. If the requested records will be made available either in whole or in part, the FOIA
129 officer promptly consults with Central Office staff to determine the cost involved to
130 assemble the records for inspection and copying. All requests for documents that require
131 more than 15 minutes of staff time to compile are subject to charges. Where portions of
132 individual records must be redacted prior to inspection and copying, the cost of doing this
133 shall also be taken into account. Charges are based upon the following rates (subject to
134 change, not to exceed the actual cost):

- 135 ● Data system searches (e.g., e-mail, student information system): \$50 per hour
- 136

- 137 ● Professional staff time: \$30 per hour
- 138 ● Clerical and secretarial staff time: \$18 per hour
- 139 ● Photocopying/printing: \$12 cents per page
- 140 ● Formatting expenses will vary and will be charged accordingly
- 141 ● Incidental out-of-pocket costs necessary to assemble the records (for example: phone,
- 142 postage, or courier charges)
- 143
- 144 5. If the requester has asked for an advance determination of the cost, or if the cost is
- 145 expected to exceed \$200, the requester shall be notified in advance of the cost associated
- 146 with the request. If the cost of the request is determined to exceed \$200, the School Board
- 147 may, before continuing to process the request, require the requester to agree to payment of
- 148 a deposit not to exceed the amount of the advance determination. The deposit shall be
- 149 credited toward the final cost of supplying the requested records. No further action shall be
- 150 taken until the requester responds, and the requester must agree to pay the estimated
- 151 amount before any further processing of the request is performed.
- 152
- 153 6. Before processing a request for records, the FOIA officer may require the requester to pay
- 154 any amounts owed to ACPS for previous requests for records that remain unpaid 30 days
- 155 or more after billing.
- 156
- 157 7. If school division records have been transferred to any entity, including any other public
- 158 body, for storage, maintenance or archiving, the school division remains the custodian of
- 159 the records for purposes of responding to requests and is responsible for retrieving and
- 160 supplying the records to the requester.
- 161
- 162 8. Any records to be disclosed shall be assembled for inspection and copying by Central
- 163 Office staff members, under the direction and supervision of the FOIA officer.
- 164
- 165 9. Central Office staff are responsible for recording the date the request was received, and
- 166 recording and assembling additional information about the request.

167
168 Established: June 1, 2006
169 Revised: July 2, 2007
170 Revised: September 14, 2007
171 Revised: June 23, 2016
172 Revised: December 15, 2016
173 Revised: December 20, 2018
174

175 Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.01, 2.2-3704.1, 2.2-
176 3704.2.

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178 Cross Refs.: IFB Approval Process for Research Studies
179 KBA Requests for Information
180 KBE Internet Privacy

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48 **Request Procedures**
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- 50 1. Requests for access to records shall be made with reasonable specificity.
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52 2. Requests shall be directed to the Alexandria City Public Schools FOIA ~~officer, and~~
53 ~~contact information is listed on the ACPS website.~~
54 Elizabeth Hoover, Ph.D.
55 Chief Technology Officer
56 Alexandria City Public Schools
57 1340 Braddock Place
58 Alexandria, VA 22314
59 703-619-8005
60 Elizabeth.hoover@aeaps.k12.va.us
61
62 3. Any requests received by staff are immediately forwarded to the FOIA ~~officer~~ with a
63 notation indicating the date and time the request was received.
64
65 4. A copy of this regulation is provided upon request.

Commented [2]: Move content to the website.

67 **Responding to Requests**
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- 69 1. ~~Prior to conducting a search for records, ACPS notifies the requestor in writing that it may~~
70 ~~make reasonable charges not to exceed its actual cost incurred in accessing, duplicating,~~
71 ~~supplying, or searching for requested records and inquires of the requestor whether the~~
72 ~~requestor would like to request a cost estimate in advance of the supplying of the requested~~
73 ~~records as set forth in Va. Code § 2.2-3704.F. A requestor may request that ACPS estimate~~
74 ~~in advance the charges for supplying the records requested. This will allow the requestor~~
75 ~~to know about any costs upfront, or give the requestor the opportunity to modify the request~~
76 ~~in an attempt to lower the estimated costs. Any costs incurred in estimating the cost of~~
77 ~~supplying the requested records will be applied toward the overall charges to be paid by~~
78 ~~the requestor for the supplying of such requested records.~~

Commented [3]: Per the update to Va. Code § 2.2-3704.1

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80 4.2 Promptly, but in all cases within five working days of receiving the request, the school
81 division will provide the requested records to the requestor, or make one of the following
82 responses in writing:

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84 (a) The requested records are being entirely withheld. The response will identify with
85 reasonable particularity the volume and subject matter of the withheld records and with
86 respect to each category of withheld records, cite the specific Virginia Code section(s)
87 that authorize(s) the withholding of records.
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89 (b) The requested records are being provided in part and are being withheld in part. The
90 response will identify with reasonable particularity the subject matter of the withheld
91 portions and cite, with respect to each category of withheld records, the specific

92 Virginia Code section(s) which authorize the withholding of records.

- 93
- 94 (c) The requested records could not be found or do not exist. If the school division knows
95 another public body has the requested records, the response includes contact
96 information for the other public body.
- 97
- 98 (d) It is not practically possible to provide the records or to determine whether they are
99 available within the five-day period. Such response specifies the conditions which
100 make a response impossible. If such response is made within five working days, one of
101 the preceding responses, (a), (b) or (c), is provided within an additional seven-day
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105 record is excluded from disclosure by law. A public record may be withheld from
106 disclosure in its entirety only to the extent that an exclusion from disclosure applies to the
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108 containing information subject to an exclusion may be withheld, and all portions of the
109 public record that are not so excluded are disclosed.

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112 request for records when the request is for an extraordinary volume of records or requires
113 an extraordinarily lengthy search, and a response within the time outlined above will
114 prevent the school division from meeting its operational responsibilities. Before
115 proceeding with the petition, the school division will make reasonable efforts to reach an
116 agreement with the requester concerning the production of records requested.

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118 2.3. The five-day period begins on the first working day following the day the request is
119 received by the school division, and ends at the close of business on the fifth working day
120 following receipt of the request. Any time that elapses between the time the requester is
121 notified of an advance cost determination pursuant to the procedures detailed below and
122 the time that the requester responds to that notice is not counted in calculating the five
123 working days.

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125 Processing of Requests

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- 127 1. The FOIA officer, after receiving a request, promptly makes an initial determination as
128 to whether the requested records will be provided to the requester, will be withheld, either
129 completely or in part, or if it is practically impossible to provide the requested records or
130 to determine whether they are available within five days.
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- 132 2. If the FOIA officer is unsure whether the requested documents should be provided to the
133 requester, legal advice is promptly sought.
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- 135 3. If the FOIA officer is uncertain whether the requested records exist or where they may
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 5. If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed \$200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed \$200, the School Board may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.
 6. Before processing a request for records, the FOIA officer may require the requester to pay any amounts owed to ACPS for previous requests for records that remain unpaid 30 days or more after billing.
 7. If school division records have been transferred to any entity, including any other public body, for storage, maintenance or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.
 8. Any records to be disclosed shall be assembled for inspection and copying by Central Office staff members, under the direction and supervision of the FOIA officer.
 9. Central Office staff are responsible for recording the date the request was received, and recording and assembling additional information about the request.

Commented [4]: From the VSBA Model Policy

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- Established: June 1, 2006
Revised: July 2, 2007
Revised: September 14, 2007
Revised: June 23, 2016

File: KBA-R

183 Revised: December 15, 2016

184 Revised: December 20, 2018

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186 Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.01, 2.2-3704.1, 2.2-
187 3704.2.

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189 Cross Refs.: IFB Approval Process for Research Studies

190 KBA Requests for Information

191 KBE Internet Privacy