

DELAWARE
PROFESSIONAL
STANDARDS
BOARD

ACCESS TO PUBLIC INFORMATION

Delaware Freedom of Information Act

(FOIA)

PROFESSIONAL STANDARDS BOARD

ACCESS TO PUBLIC INFORMATION

FOIA

The following rules regarding access to the public records of the Delaware Professional Standards Board are in compliance with the Delaware Freedom of Information Act (FOIA) and the Delaware Administrative Procedures Act.

Pursuant to the authority contained in 29 *Del. C.*, §§10003 and 10004, the Professional Standards Board adopts the following definitions and procedures regarding access to the public records of the Professional Standards Board:

Definitions:

Documents in Active Use means those records required as working documents by the Executive Director of the Professional Standards Board in performing current assignments.

Documents in Storage means documents officially placed in the custody of the Delaware State Archives.

Public Business means any matter over which the Professional Standards Board has supervision, control, jurisdiction, or advisory power.

Public Record means written information made or received by the Professional Standards Board relating to public business except the following:

- ❖ Any personnel, medical, or pupil file, the disclosure of which would constitute an invasion of personal privacy, under any State or Federal law as it relates to personnel privacy.
- ❖ Financial information obtained from a person which is of a privileged or confidential nature.

- ❖ Investigative files for law enforcement purposes.
- ❖ Any records specifically exempted from public disclosure by statute or common law.
- ❖ Any records which disclose the identity of the contributor of a bona fide and lawful charitable contribution to the Professional Standards Board whenever public anonymity has been requested of the Professional Standards Board with respect to said contribution by the contributor.
- ❖ Any records involving labor negotiations or collective bargaining.
- ❖ Any records pertaining to pending or potential litigation which are not records of any court.
- ❖ Any record of discussions held in Executive Session.

Procedures for Examining and Copying Public Records:

Except for materials and documents in active use or in storage, all public records may be examined and copies obtained at the offices of the Professional Standards Board, The Townsend Building, Loockerman and Federal Streets in Dover, Delaware, during regular office hours of the Professional Standards Board.

Initial requests to inspect public documents shall be made in writing to the Professional Standards Board's Executive Director.

The Professional Standards Board's Executive Director will respond to the requestor within ten (10) business days as to whether the information is or is not available and when or where it will be made available. The actual disclosure of records shall follow promptly thereafter, if applicable.

Review of a singular copy of a document will be in the presence of the Professional Standards Board's Executive Director.

Computer printouts will be provided at the convenience of and at a cost set by the public or private operator of the computer.

Fees:

Copying Fees: A photocopy of any public record not protected by statute shall be provided at a cost of twenty-five cents (25 cents) per 8 ½" x 11" page.

- ❖ Multiple copies will not be made.

Administrative Fees: Charges for administrative fees include staff time associated with processing FOIA requests including locating and reviewing files, monitoring file reviews, generating electronic files or print-outs and other work items as necessary per request.

- ❖ The rate for processing electronic requests will be fifty-five dollars (\$55.00) hourly when the Professional Standards Board's Executive Director needs to compile the information.
- ❖ The rate for processing paper copy requests will be twenty-one dollars (\$21.00) hourly when administrative support is needed to compile the information.
- ❖ Administrative charges will be billed to the requestor per quarter hour. These charges will be billed at the current hourly pay grade rate for the person performing the service. Administration charges will be in addition to any copying charges.
- ❖ In the event that requests for records maintained in an electronic format can be electronically mailed to the requestor, only the administrative charges in preparing the electronic records will be charged.
- ❖ All electronic files will be sent in a read-only format unless requestor requires Excel format.

Payment: The Professional Standards Board's Executive Director may require pre-payment of copying and administrative charges prior to mailing copies of requested records or sending records electronically.

- ❖ All payments will be made to:
The Delaware Professional Standards Board
Attn: Executive Director
401 Federal Street, Suite 2
Dover, DE 19901

Upon receipt of payment, the Professional Standards Board's Executive Director will forward the payment to the Department of Education's Director of Finance.

The Professional Standards Board reserves the right to refuse to make copies for requestors who have outstanding balances.