FREEDOM OF INFORMATION ACT REQUESTS

Calhoun County School District conducts public business in an open and public manner and makes it possible for the public to have access to public records in accordance with the South Carolina [Freedom of Information Act](http://www.scstatehouse.gov/code/t30c004.php) (FOIA) found in the South Carolina Code of Laws, Title 30 — Public Records, Chapter 4.

The FOIA provides the public with access to a public agency’s existing records that are not subject to an exemption under the law.

Section 30-4-20(c) of the FOIA defines a “public record” as “all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body.”

Certain categories of documents such as personnel records; student records; tests and examinations used to evaluate student or employee performance; records relating to the security of students, staff, or property; records protected from disclosure under attorney-client privilege; and executive session materials are exempt from disclosure under Section 30-4-40.

Please note that South Carolina law (FOIA Section 30-4-50) prohibits the obtaining or use of public records for commercial solicitation.

All requests for information under the [Freedom of Information Act](http://www.scstatehouse.gov/code/t30c004.php) (FOIA) must be submitted in writing to George Kiernan, Human Resources Director. You may send your request by email or by letter to his attention at Calhoun County Public Schools, 125 Herlong Ave. St. Matthews, SC 29135.

Deadlines — In accordance with the Freedom of Information Act, for current records, the district has 10 business days (excluding weekends and legal public holidays) to determine if the record requested is publicly available under the FOIA. Following notification of the determination to the person making the request, or, if a deposit has been requested and has been paid, the district then has 30 calendar days to actually produce the records responding to the FOIA request.

For records that are more than 24 months old, the district has 20 business days (excluding weekends and legal public holidays) to determine if the information requested is publicly available and 35 calendar days after notifying the requester of its determination or, after a requested deposit has been paid, to actually produce the records.

All deadlines may be extended by mutual agreement of the requester and the district and this agreement shall not be unreasonably withheld.

Required information — Please include all information listed below in the FOIA request:

* Your full name
* Full address including street, city, state and zip code
* Email address
* Telephone number
* A detailed description of the public records you are requesting
* Date of request
* Organization
* Signed statement that the information will not be used for commercial solicitation
* Justification if requesting reduction in or waiver of fees

Fees — Section 30-4-30(B) of the FOIA allows the district to charge reasonable fees for the search, retrieval, or redaction of records. The fees must represent the lowest possible cost and cannot exceed the actual cost of producing the requested records. If it is determined by the district that the information requested is primarily benefiting the general public, the district may reduce or waive the fee.

A deposit not to exceed 25 percent of the total reasonably anticipated costs for production of the records will be required prior to searching for or making copies of records. This includes, but is not limited to, charges for staff time and the cost of searching, retrieving, redacting and copying records. Any applicable fees must be paid prior to receipt of the requested records.

The law does not require the district to generate or create records that do not exist.

The requester has the right to receive an electronic transmission of the public record, if those records are in an electronic format. If records are not in electronic format and the district agrees to produce them in electronic format, the district may charge for the staff time required to transfer the documents to electronic format. Fees may be charged for search time, but no copy charges will apply to records transmitted in an electronic format.

Once the district receives a written FOIA request, the district will provide the requester with an estimate of the costs. The requester must send a deposit of 25 percent of the estimated cost before the district will begin the process of producing the records requested. The remaining balance of the cost must be paid at the time of production of the records.

Calhoun County Schools uses the following fee structure for filling FOIA requests:

* the prorated hourly salary of the lowest paid employee(s) with the skill and training to perform the request and
* copying costs of 16 cents per page