



## **Idaho STEM Action Center**

### **Public Records Requests**

#### **Public Records Request**

A public records request is a request made under the Idaho Public Records Law (Idaho Code §74-102, et. seq.) by a member of the public, to include other government agencies, in order to examine or copy records maintained by the Idaho STEM Action Center.

A public record is any record, regardless of format, created or received by the Idaho STEM Action Center.

#### **How to Request**

Public records requests are to be in writing and shall include the requestor's full legal name, mailing address, email, and phone number. Preferably, public records requests are to be submitted through the on-line fillable form located on our website, but will be accepted through any of the following methods:

1. Online Form
2. [morgan.howard@stem.idaho.gov](mailto:morgan.howard@stem.idaho.gov)
3. Idaho STEM Action Center  
c/o Public Records Requests  
802 W. Bannock Street, Suite 900  
Boise, ID 83702

#### **Custodian of Public Records Requests**

For the purpose of public records requests, the Idaho STEM Action Center has designated the Grants and Contracts Analyst as the custodian of the public records. A request is officially received by the Idaho STEM Action Center when it has been received by the Grants and Contracts Analyst.

The custodian ensures the agency responds to the public records request in the amount of time required by law; confirms the records are responsive to the request; and, exempts from disclosure any information that falls within one of the exemptions outlined in Idaho Code.

#### **Scope of the Public Records Request**

When a request is vague, broad, or determined to be large-in-scope, the custodian or his/her designee may contact the requestor for clarification. An explanation may be given as to what records are available to help identify the material the requester is seeking. This information may



help the requestor narrow the scope of the request when the response to the request is likely to be voluminous or require payment as provided for in Idaho Code §74-102(10).

The custodian shall make no other inquiry of any person who requests a public record other than to verify the identity of the requestor, to ensure the records will not be used for purposes of a mailing or telephone list; or as required to protect personal information from disclosure. Idaho Code § 74-102(5)(a-c).

### **Timeline for Public Records Requests**

The Idaho STEM Action Center is required to respond to all public records request within three working days following the date the request was received. If a request is received on a holiday or weekend, the response will be considered received on the next business day. If the STEM Action Center fails to respond to a request within ten working days, regardless of the reason, the request is deemed denied.

It is possible the STEM Action Center will be unable to fulfill your request in the three business days allotted. An additional ten (10) working days may be taken in which case you will receive an extension letter. Your extension letter will be sent within three working days of receipt of your request and serves as notification that additional time is required.

### **Receiving a Denial or Partial Denial Letter**

Certain records may be withheld from disclosure due to their confidential nature. All partial and full denials have undergone attorney review. The letter you receive notes specific statutory provisions serving as the basis for your denial. You have the right to file an appeal within 180 days of the mailing date of the denial notice.

### **Exemptions from Request**

- Student level data is exempt from disclosure under both federal and state law, including the Family Educational Rights and Privacy Act, at 20 U.S.C. § 1232g, the Individuals with Disabilities Education Act, at 20 U.S.C. § 1400, et. seq., and their implementing regulations, as well as the Idaho Student Data Accessibility, Transparency and Accountability Act of 2014, at Idaho Code §33-133.
- The Idaho State Board of Education Data Management Council Policies and Procedures requires if there is any aggregated data with a cell size below ten (10) or within nine (9) of 100% then at least two cells shall be masked or summarized.
- Personnel records, personal information, health records and professional discipline relating to public employees or applicants are exempt from disclosure without the employee's or applicant's written consent. Idaho Code §74-106(1), (8), and (9).
- Trade secrets and proprietary information are exempt as provided by Idaho Code §74-107.
- The use of any list for the purpose of a mailing or telephone list is prohibited by Idaho Code §74-120.



### **Fee for Public Records Requests**

Under Idaho Code §74-102(10), the Idaho STEM Action Center is authorized to establish a fee schedule to cover labor and copying costs. It is determined that the first 100 pages are free of charge. Our office imposes a 5¢ charge per sheet once your records request supersedes 100 pages. Additionally, all labor costs shall be charged at the per hour rate of the lowest paid employee who is necessary and qualified to process the request. If the request requires a review made by an attorney, the rate charged shall be no more than the per hour rate of the lowest paid attorney on staff. All fees associated with the public records request must be paid in advance. Upon receipt of payment, the request will be considered officially received by the Idaho STEM Action Center in regard to the timeline for responses.

A waiver to this fee schedule may be granted at the discretion of the custodian or his/her designee in accordance with Idaho Code §74-102(10)(f).

### **Billing for Request**

If there is a fee associated with the labor and/or copying, printing, or mailing, of your public records request, you will be notified prior to receiving a response. Payment is required before records are produced.

Who can I contact if you have a public records request question?

Morgan Howard, Communications Manager, can be reached by phone, 208-332-1727, or email, [morgan.howard@stem.idaho.gov](mailto:morgan.howard@stem.idaho.gov).