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## **PUBLIC RECORDS REQUESTS FREQUENTLY ASKED QUESTIONS**

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Shelby County Schools (SCS) receives and answers hundreds of questions from members of the public each year concerning requests for the inspection and/or copying of public records. Toward that end, SCS has compiled a list of the most frequently asked questions and their corresponding answers to assist the public in better understanding this process.

1. **QUESTION: Who can initiate a public records request?**

*ANSWER:* Pursuant to state law and [SCBE Policy 1012](#), only **citizens** of the State of Tennessee may initiate a public records request with SCS.

2. **QUESTION: How do I submit a request to SCS to inspect or receive copies of its public records?**

*ANSWER:* [SCBE Policy 1012](#) describes the means by which a citizen of this state may submit a request to SCS to inspect or obtain copies of its public records. In all cases, public records requests will be memorialized in writing. Therefore, for faster processing, it is encouraged that public records requests be submitted through SCS's [Open Records Request Portal](#).

3. **QUESTION: Am I required to present identification in order to inspect or receive copies of public records?**

*ANSWER:* Yes. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license (or alternative acceptable form of valid ID, such as a valid voter's registration card) is required as a condition to inspect or receive copies of SCS's public records.

4. **QUESTION: How detailed must a request for public records be?**

*ANSWER:* State law and SCBE policy require that requests for public records be sufficiently detailed to enable a governmental entity to identify

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the specific records for inspection or copying. Tenn. Code Ann. § 10-7-503(a)(4). Requests that are broad in scope (i.e., requests that contain numerous names, expansive time scopes, etc.) will require more time to complete than those that are specific, narrow in time scope and sufficiently detailed.

5. **QUESTION: Are *all* public records available for inspection or copying?**

*ANSWER:* No. The Tennessee Public Records Act provides that public records are open for inspection to any citizen of Tennessee except as otherwise provided by law. Tenn. Code Ann. § 10-7-503(a)(2)(A). State law, common law, court rules, and federal law, collectively, prohibit the disclosure of over 500 categories of public records.

6. **QUESTION: I submitted a public records request asking SCS to compile and/or format information into a document or spreadsheet I can inspect or review, but my request was denied. Why was this request denied?**

*ANSWER:* Tennessee's public records law does not require SCS to sort through files to compile information or to create or recreate a record that does not exist. Accordingly, a public records request will be denied if it requires SCS to create a record that does not already exist, does not sufficiently identify specific records or broadly requires a records custodian to sort through files or compile information.

7. **QUESTION: Can I find public records on the Shelby County Schools website?**

*ANSWER:* Yes. Many requesters tend to seek to inspect or obtain copies of records that are already available on the Shelby County Schools website. Therefore, we encourage you to visit SCS's website first and use the "Search" tool to locate your desired records prior to submitting a formal request.

8. **QUESTION: Who handles public records requests for Shelby County Schools?**

*ANSWER:* According to [SCBE Policy 1012](#), SCS's public records request coordinators, who are all housed in SCS's Office of the General Counsel,

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handle all public records requests. These individuals ensure that all public records requests are routed to the appropriate records custodians and are fulfilled in accordance with the state's public records law. Additionally, because public records requests are generally completed in the order in which they are received, requests that are not submitted to SCS's public records request coordinators through the [Open Records Request Portal](#) or as described in [SCBE Policy 1012](#) risk being misrouted and, consequently, may experience longer-than-desired wait times to receive responses. Therefore, it is strongly encouraged that all public records requests be submitted through the [Open Records Request Portal](#) for faster processing.

9. **QUESTION: What types of records are available for inspection or copying?**

*ANSWER:* Any public record that is not prohibited from disclosure under applicable state law, common law, court rules, and federal law is available for inspection or copying. See FAQ #5 above.

10. **QUESTION: How long can I expect to receive a response to my public records request?**

*ANSWER:* Shortly after you submit your request through the [Open Records Request Portal](#), you will receive an email acknowledgement confirming SCS's receipt of your request.

11. **QUESTION: How long can it take to receive the records I've requested?**

*ANSWER:* Due to the scope, nature and high volume of public records requests received by SCS each week, please expect 7-10 business days to receive and review your request. Please be mindful that requests that are broad in scope (i.e., requests that contain numerous names, expansive time scopes, etc.) may require more time to complete than requests that are specific, narrow in time scope and sufficiently detailed. If a requester submits a public records request that is broad in scope but granted, one of SCS's public records request coordinators will advise the requester of the estimated time reasonably necessary to produce the requested record or information, and will provide periodic updates to the requester on the status of completion.

If your request is denied, you will be notified of and given a basis for the denial, and you will not receive the requested records or information.

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12. **QUESTION:** Are there copying fees for the records I've requested?

*ANSWER:* Possibly. Please refer to [SCBE Policy 1012](#) for more information.

13. **QUESTION:** I submitted a request asking SCS to send me a copy of my transcript, diploma or other education record, but I did not receive them. Why is that?

*ANSWER:* The disclosure of education records, such as transcripts, report cards, diplomas and other similar records, are governed by the federal Family Educational Rights and Privacy Rights Act (FERPA). Furthermore, state law treats education records requested in connection with a public records request as confidential and prohibited from disclosure. See Tenn. Code Ann. § 10-7-503(a)(4). Therefore, requests for copies of student transcripts, diplomas, cumulative records, and other student records made through the Open Records Requests online submission platform **WILL NOT** be processed. Please forward all such requests to the [Department of Student Information Management](#) for handling.