

Maryland Public Information Act Request Protocol



The Howard County Public School System (HCPSS) General Counsel's Office is the primary point of contact for requests made under the Maryland Public Information Act (MPIA). With a focus on transparency and accountability, HCPSS strives to balance public interest with the legal and privacy obligations that govern the availability of school system records. This protocol is intended to inform school system staff of their responsibilities under the MPIA as custodians of HCPSS records.

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STAFF RESPONSIBILITIES

All HCPSS staff are responsible for the timely and efficient response to requests for public records. Staff should:

- Maintain records in accordance with HCPSS Policy 3050: Records Management and related retention practices to ensure availability of public records.
- Let the public know records can be requested at any time through HCPSS' online MPIA portal at <https://mpia.hcpss.org/>.
- Route requests made under the MPIA to the MPIA Representative in the General Counsel's Office immediately upon receipt.
- Know that this protocol does not restrict employees from responding to general requests for HCPSS records when:
 - There is already a process in place for release of records (such as student record/transcript requests); and/or
 - The documents are readily available for public access (such as documents on the HCPSS website, Board Docs, or regularly distributed/informational materials).
- Reach out to the MPIA Representative if there are any questions about whether a request for records needs to be processed under the MPIA.

RESPONSE PROTOCOLS

<p>General Requests for Records When staff receives a request for records that doesn't identify the request is being made under the MPIA.</p>	<p>Do</p> <ul style="list-style-type: none"> • Handle as an identified MPIA request (below) when: <ul style="list-style-type: none"> ○ There is not currently a process in place to process the requested records; ○ The school/office cannot supply records within the timeframe requested; ○ The search for, preparation and reproduction of responsive records will take beyond two hours or costs may need to be charged (copies, etc.); or ○ The MPIA or other laws potentially prevent disclosure of the requested records. 	<p>Don't</p> <ul style="list-style-type: none"> • Handle all requests for HCPSS records as an MPIA request – records are often readily available, can be produced per established processes or a conversation with the requester can satisfy their needs. • Assume the requester knows about their right to file a records request under the MPIA – even when able to handle per regular operational procedures, also give the requester the option to submit an MPIA request through https://mpia.hcpss.org/.
<p>Identified MPIA Requests When staff receives a request for records that specifically references the MPIA.</p>	<p>Do</p> <ul style="list-style-type: none"> • Immediately route the request to the MPIA Representative. • Let the requester know the request will be handled in accordance with the MPIA – more information for the public can be found at https://mpia.hcpss.org/. 	<p>Don't</p> <ul style="list-style-type: none"> • Ignore a request when the requester indicates it is made under the MPIA. • Assume when the records are readily available or have been supplied to the requester in the past the school system no longer has obligations under the MPIA.
<p>Processing MPIA Requests When staff is contacted by the MPIA Representative to supply responsive records to the General Counsel's Office for an MPIA request.</p>	<p>Do</p> <ul style="list-style-type: none"> • Respond as soon as possible with all readily available records and/or an estimate of the time it would take to search for and supply others. • Supply responsive documents in electronic format whenever possible. • Explain what it would take to pull data/run reports, including any specialized skills and time needed PRIOR to pulling. • Indicate if any responsive records contain confidential information or information which could be contrary to public interest. • Indicate if no records exist, records have been lost or destroyed, and if HCPSS is not the custodian. 	<p>Don't</p> <ul style="list-style-type: none"> • Create new records by answering questions and/or compiling information from various sources – our obligation under the MPIA only extends to records and data used in the normal course of business at the time of the request. • Edit or redact records prior to supplying them – review and redaction under specific MPIA exemptions will be done by the General Counsel's Office prior to release. • Assume the requester knows the type of documents/data kept by HCPSS – discuss any questions or need for clarification with the MPIA Representative prior to pulling records.