

**160-1-3-.05 ASSESSMENT OF COSTS.**

**(1) DEFINITIONS.**

(a) **Documents** – any papers, letters, maps, books, tapes, photographs, computer based or generated information, data, data fields, or similar material prepared and maintained or received by the Georgia Department of Education or the State Board of Education.

**(2) REQUIREMENTS.**

(a) A party requesting that the Georgia Department of Education (GaDOE) transmit the records of an administrative proceeding to a federal district court or state court shall be charged a copying fee of \$.25 per page and shall be charged for the actual mailing costs to transmit the record to the appropriate court. The requesting party shall remit the total fee to GaDOE within 30 days after receipt of an invoice. The requesting party may be asked to provide the filing fee for the appropriate court to be transmitted along with the record.

(b) A party requesting copies of documents pursuant to the Open Records Act (O.C.G.A. § 50-18-70) shall be charged a copying fee of \$.10 per page for letter or legal size documents or, in the case of non-letter or legal size documents, the actual cost of producing the copy. In the case of electronic records, GaDOE may charge the actual cost of the media on which the documents are produced. The party making the request shall remit the total fee to GaDOE within 30 days after receipt of an invoice.

(c) GaDOE may charge for the search, retrieval, redaction, and production costs for the production of documents pursuant to the Open Records Act. The charge for search, retrieval, or redaction of records shall not exceed the prorated hourly salary of the lowest paid full-time employee who, at the discretion of GaDOE, has the necessary skill and training to perform the request.

(d) In any instance in which the estimated costs for the production of documents exceeds \$500.00, GaDOE shall insist on prepayment of the costs prior to beginning the search, retrieval, review, redaction, production, or copying of the documents.

(e) In lieu of providing separate printouts or copies of records or data, GaDOE may provide access to documents through its website. If a person or entity specifically requests data fields in the format in which they are kept, GaDOE shall provide the data in the format requested provided the person or entity agrees to be responsible for any administrative costs associated with the request.

(f) Whenever any person or entity has requested documents and does not pay the administrative cost lawfully estimated and agreed upon, GaDOE shall be authorized to collect such charges in any manner authorized by law. Further, whenever any person or entity has requested to inspect or copy documents and has not paid the administrative cost lawfully incurred, GaDOE shall require prepayment for compliance with all future

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requests for documents until the costs for the prior production of documents have been paid or the dispute regarding payment is resolved.

**Authority:** O.C.G.A. § 20-2-240; 20-2-1160; 50-18-70.

**Adopted:** August 22, 2012

**Effective:** September 12, 2012