

Approved: October 24, 2016

# **PROMISE ACADEMY**

## **Public Records Policy**

### **Introduction**

It is the Board of Directors' (the "Board") policy that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the Board's policy to adhere to the State of Ohio's Public Records Act as it applies to community schools.

### **Public Records**

#### **Section 1. Definition**

The Board, in accordance with the Ohio Revised Code, defines records as any item that is kept by the Board that: (1) is stored on a fixed medium regardless of physical form or characteristic, including an electronic record, (2) created or received by or coming under the jurisdiction of the Board, and which (3) documents the organization, functions, policies, decisions, procedures, operations or other activities of the Board. Records of the Board are public unless they are specifically exempt from disclosure under the Ohio Revised Code or federal law.

#### **Section 1.1 Student Records**

Educational records and student personally identifiable information are not released for inspection. Only that information deemed "directory information" by the School may be released from an individual student's file, and only after the student's parents or legal guardians have been provided information about directory information and given a reasonable amount of time to request that the School not disclose such directory information. Directory information may not be disclosed to any person or group for use in a profit-making plan or activity.

#### **Section 1.2 Organization and Maintenance**

It is the policy of the Board that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and available at the School.

## **Public Records Requests & Responses**

### **Section 2. Evaluation of a Public Records Request**

Each request for public records should be evaluated for a response using the following guidelines:

#### **Section 2.1 Method for Requesting Public Records**

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve and review the records. If student directory information is requested, the person responsible for the requested record will require the disclosure of the requester's identity and intended use of the directory information in order to ascertain whether the requested information is for use in a profit-making plan or activity.

If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this Policy such that the Board or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the Board or the person responsible for the requested public record may deny the request. The Board or the person responsible for the requested public record will then provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed in the ordinary course of business.

#### **Section 2.2 Availability of Public Records for Inspection and Production of Copies**

Upon request, public records that are responsive to the request shall be promptly prepared and made available for inspection at all reasonable times during regular business hours. Copies of public records must be made available upon request within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review of the records requested.

#### **Section 2.3 Estimated Cost**

The School will provide an estimate of any copy costs over \$10.00 which the requester will be required to pay before proceeding.

#### **Section 2.4 Denial of Public Records Requests**

If a request is ultimately denied, in part or in whole, the Board or the person responsible for the requested public record will provide the requester with an explanation, including

legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also will be provided to the requester in writing.

### **Costs for Obtaining Copies of Public Records**

#### **Section 3. Charges for Copies and Postage**

Those seeking public records will be charged only the actual cost of making copies, as follows:

**Section 3.1** The charge for paper copies is 10 cents per page.

**Section 3.2** The charge for downloaded computer files to a compact disc is \$3 per disc.

**Section 3.3** There is no charge for documents e-mailed.

**Section 3.4** Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies. The Board will not respond to more than 10 public records requests submitted by a single requester in a month when the requester has asked that the records be mailed unless the requestor certifies to the Board in writing that the requester does not intend to use or forward the requested records, or the information contained in them, for commercial purposes.

**Section 3.5.** Requesters must make payment for the copies and/or postage of records prior to release of the records. Payment may be made in person or by mail.

**Section 3.6** Board records will not be copied for persons or entities that have outstanding balances for copies of records previously requested.

### **Distribution and Publication of Policy**

#### **Section 4. Distribution and Publication of Policy**

A poster describing the Public Records policy will be developed and posted in a conspicuous location in the School. The policy may be posted on the School's website.