



Approved by Board Vote on: 9/25/2014

Valley Academy Government Records Access Management Act (GRAMA) Policy

Valley Academy Charter School upholds:

- the rights of the public to fair and reasonable access to records of public business.
- individuals' rights to privacy regarding personal data gathered by government entities.

Accordingly, it is the policy of Valley Academy to comply with the Government Records Access Management Act (GRAMA) enacted by the state legislature, as well as all federal laws governing the management of, and access to, the schools' records. Legal mandates for managing and accessing student records are found in the Family Educational Rights and Privacy Act (FERPA).

Records Officer

The Director of the school will designate a Records Officer. The Records Officer will be trained and certified as mandated in Utah Code Annotated § 63A-12-110. The Records Officer works with state archives in the care, maintenance, scheduling, designation, classification, disposal, and preservation of records (Utah Code Annotated § 63G-2-103). The Records Officer works, as needed, with the Director and the Governing Board in classifying records and in reviewing and responding to GRAMA requests.

Classification of School Records

State law allows classification of a school record to occur prior to or following a request for access to the record, and Valley Academy may reclassify a record or series of records at any time. Valley Academy records will be classified under the following general categories:

- Public records as described in UCA § 63G-2-301;
- Private records as described in UCA § 63G-2-302;
- Controlled records as described in UCA § 63G-2-304;
- Protected records as described in UCA § 63G-2-305; and
- Limited records as described in UCA § 63G-2-201 (3)(b).

Access to School Records

- Every person has the right to inspect a public record free of charge.
- Every person has the right to take a copy of a public record during normal working hours (Utah Code Annotated § 63G-2-203 and 63G-2-204).
- Valley Academy will not disclose a record that is private, controlled, or protected to any person except as provided in Utah Code Annotated § 63G-2-202(5)(b) & (5)(c) or §§63G-2-303.
- A person may request to inspect or receive copies of the school's records by submitting a written GRAMA request to the Records Officer.
- The Records Officer may, in consultation with the Director, and as necessary, delegate to other staff the responsibility for compiling records in the GRAMA request.
- The Records Officer will ensure that records are disclosed as legally allowable within the time periods set forth in Utah Code Annotated § 63G-2-204.
- Denials of access to school records must be approved by the Director, in consultation with Valley Academy's legal counsel. In the event that a GRAMA request is denied in



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whole or part, the Records Officer will provide to the requester a notice of denial containing the following information:

- 1) a description of the record or portions of the record to which access was denied, provided that the description does not disclose private, controlled, or protected information or information exempt from disclosure under Utah Code Annotated § 63G-2-201(3)(b);
 - 2) citations to the provisions of state or federal regulation that exempt the record or portions of the record from disclosure, provided that the citations do not disclose private, controlled, or protected information or information exempt from disclosure under Utah Code Annotated § 63G-2-201(3)(b);
 - 3) a statement that the requester has the right to submit a written appeal to the Governing Board; and
 - 4) the time limits for filing an appeal, and the name contact information of the Valley Academy Governing Board president.
- A copy of all requests shall be kept on file at the school for at least one year.

Fees

Valley Academy reserves the right to charge a reasonable fee to cover the actual costs of providing a record as detailed in Utah Code Annotated § 63G-2-203. These costs include, but are not limited to, the cost of staff time (when such costs exceed fifteen minutes) and materials used in providing the record.

- Fees will reflect current market rates (such as hourly wages, copy costs, etc.) at the time of the request.
- Fees will be approved by the Director.
- Valley Academy may, at the discretion of the Records Officer and Director, require payment of past fees and future estimated fees before beginning to process a request if fees are expected to exceed \$50 or the requester has unpaid fees from previous requests.
- Valley Academy may, at the discretion of the Records Officer and Director, waive fees as allowable under Utah Code Annotated § 63G-2-203(4).

Appeals

Any person aggrieved by Valley Academy's access determination, including a person not a party to the governmental entity's proceeding, may appeal the determination within 30 days to the Director by filing a notice of appeal pursuant to Utah Code Annotated § 63G-2-401.

If the Director denies the request, a petitioner/requester, including an aggrieved person who did not participate in the appeal to the Director may appeal the Director's determination to the Records Committee by filing a notice of appeal with the executive secretary in the manner and time periods prescribed in Utah Code Annotated §§ 63G-2-401 and 403.

Pursuant to Utah Code Annotated § 63G-2-603, and in the manner and time periods set forth therein, an individual may contest the accuracy or completeness of any public, or private, or protected record concerning him by submitting a written request to the Records Officer to amend the record. The Records Officer will consult with the Director and Governing Board as necessary in the consideration and approval of amending a record.



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Reference Laws:

Utah Code 63G-2: Government Records Access Management Act