



Valley Academy Charter School Records Classification and Government Records and Access Act (GRAMA) Policy Utah Code Sec. 63G-2

I. Purpose

- a. Valley Academy Charter School (“Valley,” “VAC” or “the School”) upholds:
 - i. The rights of the public to fair and reasonable access to records of public business;
 - ii. An individual’s rights to privacy, consistent with Utah law, regarding information gathered by government entities; and
 - iii. The importance of maintenance of public-school records.
 - iv. All provisions of Utah Code §63G-2 not specifically addressed in this policy shall apply to all requests for records and records management requirements.

II. Compliance

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 school’s records. Legal mandates for managing and accessing *student* records are found in the Family Educational Rights and Privacy Act (FERPA, 34 CFR Part 99 and 20 U.S.C 1232).

III. Records Officer: The School Director will designate a Records Officer.

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

IV. Classification of School Records

- a. State law allows classification of a school record prior to or following a request for access to the record.
- b. Valley Academy may classify or reclassify a record or series of records at any time.
- c. Valley Academy records are classified under the following general categories:
 - i. Public records as described in Utah Code§ 63G-2-301;
 - ii. Private records as described in Utah Code§ 63G-2-302;
 - iii. Controlled records as described in Utah Code § 63G-2-304;
 - iv. Protected records as described in Utah Code§ 63G-2-305; and
 - v. A record may also be restricted consistent with Utah Code §64G-2-201(3)(b).

V. Access to School Records

- a. Every person has the right to inspect a public record free of charge.
- b. Every person has the right to take a copy of a public record during regular working hours. VAC regular hours are Monday through Friday, 9 a.m. through 3:30 p.m., August 15 through June 15. A requester may contact the School Director for an emergency request.
- c. A records request shall include the requester's information as required under Utah Code §63G-2-204(1).
- d. In response to a request, a governmental entity is not required to create or compile a record.
- e. Valley Academy will disclose records as required under Utah Code § 63G-2-202(5)(b) & (5)(c) or §63G-2-303.
- f. A person may request to inspect or receive copies of the school's records by submitting a written GRAMA request to the Records Officer.
- g. 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.
- h. The Records Officer will ensure that records are disclosed as legally allowable within the time periods set forth in Utah Code § 63G-2-204.
- i. Denials of access to school records must be approved by the Director, in consultation with Valley Academy's legal counsel.
- j. If a GRAMA request is denied in whole or part, the Records Officer will provide to the requester a notice of denial containing the following information:
 - i. 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 § 63G-2-201(3)(b);
 - ii. 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 § 63G-2-201(3)(b);
 - iii. a statement that the requester has the right to submit a written appeal to the Governing Board; and
 - iv. the time limits for filing an appeal, and the name and contact information of the Valley Academy Governing Board president.
 - v. A copy of all requests shall be kept on file at the school for at least one year.

VI. Fees

- a. Valley Academy may charge a reasonable fee to cover the actual costs of providing a record as provided in Utah Code § 63G-2-203.
- b. These costs include, but are not limited to:
 - i. the cost of staff time (when such costs exceed fifteen minutes) and
 - ii. materials used in providing the record.
- c. Fees will reflect current market rates (such as hourly wages, copy costs, etc.) at the time of the request. Fees will not exceed the hourly rate of the most appropriate employee to fulfill the request and \$0.25 per copy.
- d. VAC may not charge a fee for reviewing a record to decide if the record should be disclosed.
- e. Fees will be approved by the Director; if the fees are expected to exceed \$50, the Director or Records Officer may require payment before fulfilling the request. Any unused fees shall be refunded to the requester.

- f. Valley Academy may, at the discretion of the Director, waive fees.

VII. Appeals

- a. Any person who disagrees with Valley Academy's access determination may appeal the determination within 30 calendar days of receipt of the denial by the Director by filing a notice of appeal to the VAC School Governing Board, 539 No. 870 West, Hurricane, UT 84404
- b. If the Governing Board denies the request, a petitioner/requester may appeal the Director's determination to the Utah State Archives Records Committee by filing a notice of appeal with the executive secretary in the manner and time periods provided in Utah Code §§ 63G-2-401 and 403.