

PUBLIC RECORDS POLICY

It is the policy of the Board of Directors that openness leads to a better- informed citizenry, which leads to better government and better public policy. It is the policy of the Board of Directors to strictly adhere to the State of Ohio's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request for public records is in writing, the explanation of denial must also be in writing.

PUBLIC RECORDS

Section 1. Definition

The Board of Directors, in accordance with the Ohio Revised Code, defines records as including the following: Any document, paper, electronic (including, but not limited to, e-mail), or other format that is created or received by, or comes under the jurisdiction of the Board of Directors that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Board of Directors. All records of the Board of Directors are public unless they are specifically exempt from disclosure under the Ohio Revised Code or federal law.

Section 1.1 Organization and Maintenance

It is the policy of the Board of Directors that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

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 Identification of Public Records Requested

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 Board of Directors to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the Board of Directors keeps its records.

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.

E-MAIL AS PUBLIC RECORDS

Section 4. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

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The custodian of records and other District personnel responsible for the inspection and/or copying of public records shall be provided a copy of this policy and shall acknowledge receipt. This policy shall be reproduced in the form of a poster and posted in a conspicuous place in the school office. This policy shall also be included in any employee manual or handbook.

To ensure that the District complies with the requirements of Ohio's Public Records law, all Board members or their appropriate designees shall attend training approved by the Ohio Attorney General as provided in O.R.C. §109.43.

The District is not required to allow the requester to make copies of the public record.

Transmittal of Public Records by Mail

The Treasurer or other custodian of public records shall transmit a copy of a public record by mail within a reasonable period of time after receiving the request, provided that the person making the request pays in advance the cost of postage and other supplies used in the mailing, or supplies the Chief Financial Officer with a self-addressed envelope with sufficient postage affixed.

The number of records requested for transmittal by mail by any person shall be limited to ten (10) per month, unless the person certifies in writing that he/she does not intend to use or forward the requested records or the information contained in them for commercial purposes. For purposes of this policy, "commercial" shall be narrowly construed and does not include the reporting or gathering of news, reporting or gathering of information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

Family Policy Compliance Office (FPCO) Home

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

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Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

School officials with legitimate educational interest; Other schools to which a student is transferring;

Specified officials for audit or evaluation purposes;

Appropriate parties in connection with financial aid to a student; Organizations conducting certain studies for or on behalf of the school; Accrediting organizations;

To comply with a judicial order or lawfully issued subpoena; Appropriate officials in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

LEGAL REFS: O.R.C. §149.43; Family Educational Rights and Privacy Act: 20 USC, Section 1232g 121.22 O.A.C. 3301-35-03