

Board Policy #: 007
Adopted/Ratified: July 2009
Revision Date: April 25, 2015

Birmingham Community Charter High School

ACCESS TO PUBLIC RECORDS

Requests for public records shall be made to the office of the CEO/Principal. The CEO/Principal or designee may then determine the most appropriate Birmingham Community Charter High School ("BCCHS") employee to assist in assembling any public records for production.

Any person may request a copy of any BCCHS record open to the public and not exempt from disclosure. While a request need not be in writing, if the request is verbal, the requestor will be asked to reduce the request to writing so there is a written record of the records being requested. If the requestor chooses not to reduce the request to writing, the CEO/Principal or designee shall reduce the request to writing and confirm the request with the requestor. The request for public records must clearly identify the records requested, along with the name and mailing address of the requestor.

Provisions of the California Public Records Act (Government Code Section 6250 et seq.) shall not be construed so as to delay access for purposes of inspecting or receiving copies of records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial.

BCCHS may charge for copies of public records or other materials requested by individuals or groups. The charge, based on the direct cost of duplication, been set determined by the Board of Directors at .10 cents per page. The direct cost of duplication includes the pro rata expense of the copying equipment used and the pro rata expense in terms of staff time required to produce the copy.

Requests to waive associated fees related to the direct cost of duplication shall be submitted to the CEO/Principal's Office and determined on a case-by-case basis.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other applicable statutes.

Within ten (10) days of receiving any request for a copy of records, the CEO/Principal or designee shall determine whether the request seeks copies of disclosable public records in the possession of BCCHS, and shall promptly notify (in writing) the person making the request of BCCHS's intent to comply with the request, and shall indicate that date that the disclosable public records shall be made available.

In unusual circumstances, the CEO/Principal may extend the 10-day time period for an additional 14 days by providing written notice to the requestor and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include, but only to the extent reasonably necessary to properly process the request, the following:

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1. The need to search for and collect the requested records from field facilities or other locations that are separate from the office processing the request;
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request;
3. The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request, or among two or more components of BCCHS having substantial subject matter interest therein;
4. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

If an inspection of records (rather than copies of records) is requested, any person shall have reasonable access, during normal business hours, to the public records of BCCHS within the requirements of state law. However, if records are not readily available, or if portions of the records to be inspected must be redacted to protect exempt material, then BCCHS must be given a reasonable period of time to perform these functions prior to inspection. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.