

DaVinci Academy of Science and The Arts

Policy Number: 106

Policy Section: 1 00- Administration

POLICY TITLE: GRAMA (Government Records Access
Management Act)

Revision History

Effective Date	Action Date	Revised
11 February 2015	New	

GRAMA

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- I. **Purpose:** This policy provides guidelines to manage, classify, access, preserving, and dispose of School records in compliance with the Government Records Access and Management Act (GRAMA) Utah Code Ann. Sections 63G-2-101 through 901. It is the policy of this School to provide fair and timely public access to School public records in accordance with state laws and regulations while protecting the individual privacy rights. This policy does not apply to student records. Student records are governed by the Family Education Right to Privacy Act (FERPA).
- II. **Definitions:**
 - a. "School" refers to DaVinci Academy of Science and the Arts ("DaVinci") and to DaVinci's governing charter board ("Board").
 - b. "Record" or "Records" includes a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics that is prepared, owned, received, or retained by the School, and the information is reproducible by photocopy or other mechanical or electronic means.
"Record" does not include: personal notes unrelated to the public's business, temporary draft prepared for the originator's personal use or for someone for whom the originator is working, material that is legally owned by an individual in the individual's private capacity, copyrighted material, proprietary software, junk mail or a commercial publication received by a governmental entity, a book or other material that is cataloged in a library open to the public, a daily calendar for personal use, a computer program developed or purchased by or for the School for its own use, a note or internal memorandum prepared as part of a deliberative process, and a video or audio of an interview or transcript of the video or audio recording that is conducted at the Children's Justice Center.
 - c. "Chief Administrative Officer" refers to the Chairperson of the Board or designee
- III. **Records Officer:**
 - a. The Chair of the Board may designate one or more Records Officers. In absence of a designation by the Chair, the Principal or Director of the School is the Records Officer.
 - b. Each records officer shall, on an annual basis, successfully complete online training and obtain certification from State Archives in accordance with Section 63A-12-110.
 - c. The Records Officer (s) will review and respond to any request for access to records ("GRAMA request").
 - d. The Records Officer shall be responsible to maintain, classify, schedule and report to the Utah State Archives each record or record services produced, received or maintained by the School.
- IV. **Records Classification:**

- a. The School's records shall be classified through State Archives under one of the following categories:
 - i. "Public" as described in Utah Code Ann., Section 63G-2-301;
 - ii. "Private" as described in Utah Code Ann., Section 63G-2-302-302;
 - iii. "Controlled" as described in Utah Code Ann., Section 63G-2-304; and
 - iv. "Protected" as described in Utah Code Ann., Section 63G-2-305.
- b. Classification of records
 - i. Public
 1. Discipline files—keep till administrative need ends and issue resolved
 2. Enrollment and registration—keep until superseded
 3. Transcripts—Permanent
 4. Annual Financial Summary report—4 years
 5. Performance audits—permanent
 6. Adopted annual budget—10 years
 7. Graduation programs—permanent
 8. Maintenance work orders—3 years
 9. Principal's personnel files—65 years or three years after retirement or death
 10. Receipt/requisitions—4 years
 11. Construction contracts—6 years
 12. Accident report—5 years
 - ii. Private
 1. Medical log records—3 years after graduation or student leaves
 2. Student exchange records—4 years after leaving
 3. Title I—5 years after final expenditure
 4. Fee waiver record—4 years after jr. high
 5. Free and reduced applications—3 years
 - iii. Exempt
 1. Non-transferred student files—3 years after graduation
 2. Performance/testing—3 years after graduation

V. **Access to Records**

- a. A person making a request for a record shall submit a written request containing requester's full name, mailing address, daytime telephone number, and description of the record that identifies the record with reasonable specification.
- b. All requests shall be submitted to the School Records Officer. If there is more than one Records Officer designated, the request may be submitted to any one of the Records Officers.
- c. "Public" records as described in Utah Code Ann. Section 63G-2-301 will be available for inspection and copying during normal business hours.
- d. "Private", "controlled", or "protected" records as described in Utah Code Ann. Sections 63G-2-302 through 305, will be disclosed only in accordance with Utah Code Ann. Section 63G-2-202.

VI. **Fees:**

- a. The School may charge a reasonable fee to cover the School's actual cost of providing a record, as established by written formal policy of the Board.
 - b. When the School compiles a record in a form other than that normally maintained by the School, the actual costs under this section may include:
 - i. the cost of staff time for compiling, formatting, manipulating, packaging, summarizing, or tailoring the record either into an organization or media to meet the person's request;
 - ii. the cost of staff time for search, retrieval, and other direct administrative costs for complying with a request; and
 - iii. in the case of fees for a record that is the result of computer output other than word processing, the actual incremental cost of providing the electronic services and products together with a reasonable portion of the costs associated with formatting or interfacing the information for particular users, and the administrative costs as set forth in subsections V.b.(i) and (ii) above.
 - c. An hourly charge may not exceed the salary of the lowest paid employee who has the necessary skill and training to perform the request.
 - d. No charge will be made for the first quarter hour of staff time.
 - e. The School can not charge fees for reviewing a record to determine whether it is subject to disclosure or for the requestor's inspecting the record.
- VII. **Time Limit for Response**
- a. After receiving a request for a record, the School shall respond in accordance with the following timeline:
 - i. Within five (5) business days if the request seeks an expedited response;
 - ii. No later than ten (10) business days after receiving a written request which does not seek an expedited response.
 - iii. Under extraordinary circumstances, the School may take more time as outlined in Utah Code Ann. 63G-2-204 and will notify the requester accordingly.
- VIII. **Denial of Access:**
- a. If the request for access to records is denied, a written notice shall be provided to the requester containing the following information:
 - i. a description of the record or portions of the record to which access was denied;
 - ii. citations to the provisions of GRAMA, or other statutory, regulatory, or judicial authority that exempt the record or portions of the record from disclosure;
 - iii. a statement that the requester has the right to appeal the denial to the Chief Administrative Officer of the School; and
 - iv. the time limits for filing an appeal, and the name and business address of the Chief Administrative Officer of the governmental entity.
- IX. **Appeal:**

- a. If a requester is dissatisfied with the Records Officer's decision, the requester may submit a written appeal to the Board Chair, who is the Chief Administrative Officer of the School.
 - i. The written appeal must be submitted within 30 (30) days of receiving the denial of the request.
 - ii. The written appeal must contain the requester's name, mailing address, and daytime telephone number; and the relief sought.
 - iii. The written appeal may also contain a short statement of facts, reasons, and legal authority in support of the appeal.
- b. The Board Chair shall respond within five (5) business days after receiving the written appeal. (The Board Chairperson has twelve (12) business days if the requester has submitted a claim of business confidentiality.) Parties may, by agreement, extend the time periods specific to this policy.
- c. If the Board Chair does not make a determination within five (5) business days, the appeal is considered denied.
- d. If the requester is dissatisfied with the decision of the Board Chair, the requester may file an appeal to the State Records Committee in accordance with Utah Code Ann. Section 63G-2-403, or petition for judicial review in the district court as provided by Utah Code Ann. Section 63G-2-404.