Propel Schools
Open Records Policy

Purpose

Propel Schools adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 ("RTKL"). Propel Schools has made this policy available to the public at its administrative office and on its public website along with the Propel Schools Request form.

Definitions:

All of the definitions set forth in the RTKL are incorporated into this policy by reference. See 65 P.S. § 67.102.

AORO: The Agency Open Records Officer designated by Propel Schools pursuant to Section IV of this policy.

Business day: The regular business hours of Propel Schools are Monday through Friday from 8:00 am to 4:00 pm. Business days exclude Saturday and Sunday and a weekday on which Propel Schools is closed for business.

Propel Schools Website:

Propel Schools maintains a public website at www.propelschools.org. Many of the records most commonly requested from Propel Schools are available on the website. The following information is also posted on the Propel Schools' website: AORO contact information; contact information for the OOR; a form which may be used to file a RTKL request; and a copy of this policy.

Procedure:

A. *Open Records Officer*. Propel Schools has designated an AORO to respond to RTKL requests.

The contact information for the AORO is:

Danielle Smith AORO
By Mail: 3447 East Carson Street, Pittsburgh, PA 15203
Phone: 412-325-7305
Fax: 412-325-7309
Email: DanielleBSmith@propelschools.org

The contact information for the AORO is posted on the Propel Schools website.

B. *Request*. Requests should be submitted in writing using the Propel Schools Request form available on the Propel Schools website and should be addressed to the AORO. If a requester chooses not to use the request form, the request should clearly indicate that it is seeking records under the RTKL. To allow Propel Schools to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify as precisely as possible the records sought. Requesters should clearly indicate the preferred method of access – paper copies, electronic copies or by inspection. Requesters should retain a copy of the request for their file, as a copy of the request is necessary should a requester appeal the response of Propel Schools to the request.

C. *Receipt of the request*. For the purpose of calculating the response deadline, Propel Schools is deemed to have received the request on the business day that the AORO receives the request. Any request that is received by Propel Schools after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by a Propel Schools employee other than the AORO, the request will be forwarded to AORO as soon as practical.

D. *Verbal requests*. Propel Schools will respond to verbal requests for records at its discretion. Requesters submitting verbal requests for records should be aware that they may not pursue the remedies available to a requester under the RTKL.

E. *Anonymous requests*. Propel Schools will not respond to anonymous requests for records.

F. *Response period generally*. Propel Schools has 5 business days to respond to a request for records under the RTKL. If Propel Schools does not respond, the request is considered "deemed denied," and a requester's appeal rights commence.

Propel Schools Response

A. *Extension of time for response*. Propel Schools is permitted to take an additional 30 calendar days to respond to any request for the reasons set forth in Section 902 of the RTKL. If Propel Schools invokes an extension, it will inform the requester in writing, in accordance with the requirements set forth in Section 902(b)(2) of the RTKL.

B. *Requester's agreement to extend the response period*. The requester may agree, in writing, to extend the response period of Propel Schools. The requester must agree to the extension during the initial 5 business-day response period or the extended 30 calendar day response period, if Propel Schools has invoked one.

C. Trade secrets. If a request involves records provided to Propel Schools by a third party and the third party previously provided Propel Schools with a written statement that the record contains a trade secret or confidential proprietary information, Propel Schools shall provide notice to the third party.

D. *Final response*. Propel Schools may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of Propel Schools will be in writing. Should Propel Schools fail to issue a response within the applicable response period, the request is deemed denied.

1. *Granting access to records*. Propel Schools may grant a request for records by issuing a response: (1) granting access to inspect Propel Schools records during its regular business hours; (2) sending copies of the records to the requester; or (3) by notifying the requester that the records are available on Propel Schools website or other publicly accessible electronic means.

2. *Denying or partially denying access to records*. Should Propel Schools deny or partially deny a request for records through redaction or otherwise, it will inform the requester of the denial or partial denial in writing. The response will describe the requested records, inform the requester that Propel Schools

does not possess the responsive records or, if the records are exempt from public access, provide a citation to the relevant legal basis for withholding the requested records. Additionally, the response will provide the name, signature, title, business address and telephone number of the Open Records Officer who denied the request, as well as the date of the response and the procedure to appeal the denial. *See* 65 P.S. § 67.903.

E. *Fees*. Propel Schools will charge fees consistent with the RTKL Fee Structure, available at http://www.openrecords.pa.gov/RTKL/FeeStructure.cfm.

RTKL Appeals

A. *Generally*. To challenge the denial, partial denial, or deemed denial of a request for Propel Schools records, an appeal may be filed using the OOR appeal form, available at http://www.openrecords.pa.gov/Appeals/AppealForm.cfm, or by contacting the OOR at the following address:

Office of Open Records
Commonwealth of Pennsylvania
333 Market St., 16th Floor
Harrisburg, PA 17101-2234
openrecords@pa.gov

B. *Requirements of an appeal*. All appeals must be filed within 15 business days of the mailing date of Propel Schools' denial, partial denial, or deemed denial of the request. All appeals must be in writing; must state the grounds upon which the requester asserts that the requested records are public records; must address any grounds stated by Propel Schools for denying the request; and must include a copy of the request and Propel Schools' response, if any.

Propel Schools Notification of Third Parties on Appeal

Propel Schools must notify third parties. If records affect a legal or security interest of an employee of Propel Schools; contain confidential, proprietary or trademarked records of a person or business entity; or are held by a contractor or vendor, Propel Schools must notify such parties of the appeal immediately and provide proof of that notice to the OOR within 7 business days from the date of the OOR's Official Notice of Appeal. Such notice

must be made by (1) providing a copy of all documents included with the appeal to the OOR; and (2) advising that interested persons may request to participate in the appeal.

Mediation

The RTKL requires the OOR to establish an informal mediation process to resolve disputes under the RTKL. This is a voluntary process to help parties reach a mutually agreeable settlement on records disputes before the OOR. Mediation, a facilitated conversation between the parties that can serve as a fair and efficient tool to resolve conflict, can save time and expense. When appropriate, Propel Schools is open to resolving RTKL disputes through the OOR's mediation process.

Record Retention

Propel Schools has a record retention policy. Notwithstanding any other existing record retention policy, once a RTKL request is received, Propel Schools shall maintain, preserve, retain, protect, and not destroy any and all records, both electronic and hard copy, that are potentially responsive to the request until such time as the request is fulfilled and all associated appeals are resolved.

Approved By	Date
Dr. Tina Chekan	May 15, 2023
Board of Trustees	May 15, 2023