

POLICY—300.2—ACCESS TO PUBLIC RECORDS AND RETENTION

	DISTRICT CODE: 300.2	ADOPTED: 10.20.2015
	RESCINDS: EHB	ADOPTED: 6.23.92

BOARD POLICY

1. The Board of Education is committed to the public’s right to access public records and record retention in accordance with state law, the Government Records Access Management Act (GRAMA) and the Public Records Management Act (PMRA)), while protecting individual and statutory rights of privacy. The Board of Education also values transparency regarding public actions by the Board, and therefore the Board may provide supplemental materials regarding Board agenda items on the Board’s e-governance system website for public review solely at the discretion of the Board.
2. The Board of Education authorizes the Superintendent and District Administration to establish administrative regulations consistent with this policy, subject to review and approval by the Board.

	ADMIN REG: 300.2-1	ADOPTED: 10.20.15
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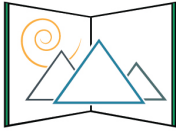
ADMINISTRATIVE REGULATION—300.2-1: (Records Classification; Definitions for Records Officers and Managers; GRAMA Definitions)

Records Classification:

1. A record shall be classified under one of the following categories:
 - 1.1. “Public” records as described in Utah Code Annotated, §63G-2-301;
 - 1.2. “Private” records as described in U.C.A., §63G-2-303;
 - 1.3. “Controlled” records as described in U.C.A., §63G-2-304;
 - 1.4. “Protected” records as described in U.C.A., §63G-2-305; or
 - 1.5. A record to which access is restricted pursuant to court rule, another state statute, federal statute, or federal regulation, including records for which access is governed or restricted as a condition of participation in a state or federal program or for receiving state or federal funds. U.C.A., §63G-2-201 (3)(b).
2. All student records are designated as “education records” and the disclosure of such education records is not governed under GRAMA but under the Family Education Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. Section 1232 (g); 34 C.F.R. §99, et seq.; 34 C.F.R. §300, et seq.). The District may not release information related to educational records without parental consent, except as provided in FERPA.

Records Officers and Managers:

1. The Superintendent shall designate one or more GRAMA/Records Officer (s).



- 1.1. The GRAMA/Records Officer(s) shall be trained and certified according to Utah state laws and administrative rules.
- 1.2. The GRAMA/Records Officer(s) will review and respond to any request for access to records (e.g., “GRAMA request”).
2. A record manager (s) is assigned to assist the Records Officer(s) in performing the duties and responsibilities set forth in U.C.A., §63G-2-101, et seq.
 - 2.1. Record managers will coordinate with the Records Officer (s) in maintaining, classifying, scheduling, preserving, and disposing of District records; and
 - 2.2. Reporting to the Utah State Archives each record or record series produced, received, or maintained by the District.
3. Records Managers are designated as follows:
 - 3.1. The Superintendent is designated as Records Manager for all files and records of the District.
 - 3.2. The Business Administrator/CFO is designated as the Records Manager for all business and financial files and records of the District.
 - 3.3. The Director of Human Resources is the Records Manager for all employee and personnel files and records of the District.
 - 3.4. The Director of Special Education and Federal Programs is the Records Manager for all special education/federal program files and records of the District.
 - 3.5. The Director of Planning and Enrollment and the Director of Responsive Services are designated as Records Managers for student records.
 - 3.6. Each Principal or Supervisor is a Records Manager responsible for managing and maintaining records at his/her school and department site. (See, Exhibit—1-District Records Officers and Managers).

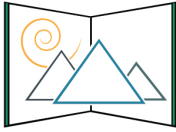
GRAMA Definitions:

1. “Access denial”: means a governmental entity’s denial to provide the requested records or issue a denial within the specific time period (See, U.C.A., §63G-2-204 (8)) or a denial under U.C.A. §63G-2-205, in whole or in part, of a record request.
2. “Appellate affirmation” means a decision of a chief administrative officer, local appeals board, or records committee affirming an access denial.
3. “Interested party”: means a person, other than a requester, who is aggrieved by an access denial or an appellate affirmation, whether or not the person participated in proceedings leading to the access denial or appellate affirmation.
4. ‘Requester’ means a person who submits a record request to a governmental entity.

ADMIN REG:
300.2-2

ADOPTED:
10.20.15

ADMINISTRATIVE REGULATION—300.2-2: (Access to Records/GRAMA Request; Fees; Appeals)



GRAMA Request/Records Access:

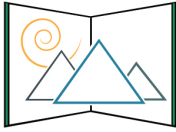
1. A requester may request a District record or records by filing a written GRAMA request.
2. The GRAMA request must contain the necessary information on the requester form and a specific description of the record(s) being requested.
3. All GRAMA requests shall be submitted to the District GRAMA/Officers.
 - 3.1. Any inspection of a “public” record shall be during normal business hours in accordance with U.C.A., §63G-2-201.
 - 3.2. All “private,” “controlled,” and “protected” records shall be disclosed only in accordance with U.C.A., §63G-2-202.
4. The District’s GRAMA/Officer shall review each request and render a decision to:
 - 4.1. approve the request and provide a record copy; or
 - 4.2. deny the request; or
 - 4.3. notify the requester it does not maintain record and provide, if known, the name and address of the governmental entity that does maintain the record; or
 - 4.4. notify the requester it cannot approve or deny the request because of extraordinary circumstances consistent with U.C.A. §63G-2-204; and provide a description of the circumstances and when the records will be available.
5. The GRAMA/Officer’s decision must be completed no later than 10 business days after receiving a written request or five business days, if the requester demonstrates that expedited response to the record request benefits the public rather than the person.

Fees:

1. A fee shall be charged to duplicate a requested record and also for the personnel time in compiling and obtaining the records. (See, Policy Exhibit—2—Fees for Search and/or Duplication of Records).
 - 1.1. Waiver of Fees: Fees for duplication and compilation of a record may be waived under certain circumstances described in U.C.A., 63G-2-203 (4).
 - 1.2. Requests for a fee waiver must be made in writing to the District’s GRAMA/Records Officer(s).
 - 1.3. A GRAMA/Records Officer(s) decision to waive fees requires consultation and approval from a District Records Manager.

Appeals:

1. A requester or interested party may appeal an access denial to the chief administrative officer of the District, the Superintendent, by filing a notice of appeal within 30 days after receiving a notice of denial. (See, Utah Code Annotated, §63G-2-401).
2. The notice of appeal shall contain:
 - 2.1. the name, mailing address, and daytime telephone number of the requester or interested party; and
 - 2.2. the relief sought.
3. The Superintendent shall issue a decision within:
 - 3.1. Five business days after receipt of the notice of appeal; or 12 business days after



the governmental entity send the notice of appeal to a person who submitted a claim of business confidentiality consistent with U.C.A., 63G-2-401.

- 3.2. If the Superintendent fails to make a decision in the time frame listed in 3.1, the failure is the equivalent of a decision affirming the access denial.
4. If the Superintendent affirms the access denial in whole or in part, the notice shall include a statement that the requester or interested party has the right to appeal the decision to the State Records Committee or district court, as provided in 63G-2-402.

ADMIN REG:
300.2-3

ADOPTED:
10.20.15

ADMINISTRATIVE REGULATION—300.2-3: (District Records Committee)

District Records Committee:

The Superintendent or designee may establish a Records Committee under the direction of the Records Officers to: review record management practices, review retention schedules, review disposal practices, and implement best practices for records management.

ADMIN REG:
300.2-4

ADOPTED:
10.20.15

ADMINISTRATIVE REGULATION—300.2-4: (Records Retention)

1. The District shall adhere to the general schedule for records retention approved by the State Records Committee.
2. Records which are not covered by the general schedule shall be submitted to the State Records Committee for scheduling.

EXHIBITS

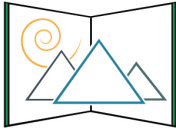
1. Exhibit—1—District Records Officers and Managers
2. Exhibit—2—Fees Duplication of Records

REFERENCES

Family Education Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. Section 1232 (g); 34 C.F.R. §99, et seq.; 34 C.F.R. §300, et seq.

U.C.A. §63G-2-201

U.C.A. §63G-2-202



U.C.A. §63G-2-203
U.C.A. §63G-2-204
U.C.A. §63G-2-205
U.C.A. §63G-2-301
U.C.A. §63G-2-302
U.C.A. §63G-2-303
U.C.A. §63G-2-304
U.C.A. §63G-2-305
U.C.A. §63G-2-401
U.C.A. §63G-2-402

FORMS

None

CANYONS BOARD OF EDUCATION

This online presentation is an electronic representation of the Canyons School District's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent located at 9361 South 300 East Sandy, UT 84070.