



Policy Number: 4050

Dated: 05/14/2014

POLICY RECORDS MANAGEMENT

PURPOSE

The Board of Trustees of American Leadership Academy is committed to see that records are managed in an efficient, responsible manner. Therefore, the Board delegates to the Administration responsibility for maintaining, classifying, preserving, accessing, and destroying school records in compliance with various laws outlined in this policy.

As a governmental entity, the school is subject to Utah's open Records laws. Specifically, the school complies with the Government Records Access and Management Act (GRAMA) (Utah Code 63A-12-101) and the Public Records Management Act. These laws require the school to classify, manage and provide public access to certain Records.

As an educational institution, the school is subject to the federal Family Educational Rights and Privacy Act. (FERPA), which governs student educational records.

RECORDS OFFICERS

1. The Director shall designate one or more Records Officers.
2. The Records Officer(s) shall be trained and certified according to Utah state laws and administrative rules.
3. The Records Officer(s) will review and respond to any request for access to Records (GRAMA request).

RECORDS MANAGER

The Business Administrator shall be the Records Manager and coordinate with the Records Officer(s) in maintaining, classifying, preserving, accessing, and destroying school records.

GUIDELINES

Public Records shall include:

1. Official minutes, actions and decisions of the Board of Trustees and School Administration unless the record involves information which is classified as private, controlled, or protected.
2. Official school and school policies, contracts, minutes, and accounts.
3. Names, gender, job titles, job descriptions, gross salaries, hours and dates of employment of all current and former employees.

Private Records shall include:

1. Records concerning a current or former employee, including performance evaluations and personal status information such as race, religion, or disabilities.
2. Records in any personnel file, applications, nominations, recommendations, or proposals for advancements or appointments.
3. Documents related to eligibility for unemployment benefits, social services, welfare benefits, personal finances, individual medical condition, and military status.
4. Individual student records. Access to student records shall be provided in accordance with FERPA.

Controlled Records shall include:

1. Records containing medical, psychiatric, or psychological data about an individual.
2. Records the school believes the release of which to the subject would be detrimental to the subject's mental health or to the safety of any individual, or the release of which would constitute a violation of professional practice and medical ethics.

Protected Records shall include:

1. Any information that, if disclosed, would jeopardize the life or safety of an individual or security of School property or programs.
2. Documents that, if disclosed, would place the school at a disadvantage in contract negotiations, property transactions, or bargaining position or could enable circumvention of an audit.
3. Records related to potential litigation or personnel hearings.
4. Records from meetings which are closed in accordance with the Utah Open and Public Meetings law.

RECORDS ACCESS

1. All Requests must be submitted in writing using the GRAMA Request form. Requests to view school records should be addressed to the records officer during regular business hours.

2. Any inspection of a Public Record shall be during normal business hours.
3. Individuals requesting to view records classified as private, controlled, or protected shall be required to prove their right to access the record, power of attorney, court order, or other appropriate means.
4. The records officer shall determine whether access to the requested record(s) is to be granted or denied.
 - a. If the request is approved, the records shall be provided as soon as possible and not more than 10 working days from the date the request was received.
 - b. If the request is denied, the records officer must specify the reason, and the requester shall be informed of the right to appeal.

APPEALS PROCESS

Appeals to the Board of Trustees:

1. The requester shall file a written request for a hearing with the Board Secretary at least ten days before the requested hearing date.
2. Upon receiving the request, the Board Secretary shall schedule a mutually convenient date, time and location for the hearing and notify all parties and post the meeting as required under open meetings law.
3. The requester has the right to be represented by legal counsel at the hearing. If the requester is to be represented by legal counsel, the administration must be notified at least 10 working days in advance of the hearing.
4. Within 10 working days of the hearing, the Board Secretary shall notify the requester in writing of the Board's decision.

RETENTION OF SCHOOL RECORDS

1. The School shall retain Records according to the schedules established by the State Records Committee in accordance with Utah Cod 63G-2-604. The School General Schedule is available at <http://archives.utah.gov/recordsmanagement/grs/stgrslist.html>
2. Records for which no state retention schedule exists should be discarded as soon as the purpose for which they were created has been satisfied.
3. All student records are designated as "education records" and the disclosure of such education records is restricted under GRAMA by the Family Educational Rights and Privacy Act (FERPA). The school may not release information related to education records without parental consent, except as otherwise provided in FERPA.