



7 Pillars Career Academy

Open Records Act Policy

Open Records Act (O.C.G.A. §§50-18-70 through 50-18-76)

Definition

As a public body, documents created by the board of a charter school are considered public records.

“Public records” are broadly defined to include the following:

- Documents;
- Papers;
- Letters;
- Books;
- Tapes;
- Photographs;
- Computer-based or generated information; and
- Data or data fields;

Similar material prepared and maintained or received in the course of the operation of a public office or agency.

Public records also include records received or maintained by a private person, firm, corporation or other private entity in the performance of a service or function for or on behalf of a public office or agency, unless the records are otherwise protected by specific statute or court order from disclosure. Records prepared or maintained by a private entity in cooperation with public officials, or contemplating the use of public resources and funds are considered public records and are subject to the Open Records Law.

Exceptions

Exceptions to the Open Records Act must be narrowly interpreted and include the following:

- Records that are specifically required by federal statute or regulation to be kept confidential;
- Records related to an investigation or prosecution of criminal activity;
- Confidential employee records (includes annual teacher and superintendent evaluations);
- Attorney/Client Privileged information or attorney work product;
- Pending, rejected or referred sealed bids or proposals by vendors, until the final award is made or the project is abandoned or terminated;
- Vendor trade secrets
- Personally Identifiable information in educational records (aggregate data okay under FERPA as long as the student’s identity is not “easily traceable”);
- Test questions, scoring keys and other materials when disclosing such documents would compromise the validity of the test.

In general, school personnel records of teachers and employees must be produced (including salary information), but certain information may be redacted from a record (social security number, date of birth, insurance or medical information, home address and telephone number, personal financial information).

Responding to an Open Records Request



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Members of the public may submit an open records request for documents maintained by the board of a charter school. The school must respond to this request within three business days of receipt of the request. If the request can be easily produced, the documents should be made available within the three day period; if the records are voluminous or otherwise difficult to produce within that period window, the board should respond to the requesting party within the three days with a reasonable estimate of time that it will take to produce the records. The board of a charter school is only required to produce those records that it currently maintains which are responsive to an open records request; the board is not required to produce a document which does not currently exist in order to respond to an open records request.

Copying costs up to 10 cents per page may be charged to the requesting party and search, retrieval and other administrative costs may be charged as follows: hourly charges may not exceed the salary of the lowest paid, full-time employee who has the necessary skill and training to perform the request. In addition, the board cannot charge for the first quarter hour of administrative time.