PUBLIC RECORDS ACT POLICY

This Policy establishes of Ocean Charter School ("Charter School") policy and procedures regarding the receipt, processing, and response to requests for information pursuant to the Public Records Act ("PRA" or "the Act"), and reinforces Charter School's commitment to timely and accurately respond to all requests.

Definitions

"Public Records" include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

"Requestor" is any natural person, corporation, partnership, limited liability company, firm, or association.

"Respondent" is the Charter School employee designated to respond to the request in compliance with and according to the requirements of the Act.

"Writing" is any handwriting, typewriting, printing, photostatting, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."

Summary of Procedures

Requests can be made by mail, electronic mail, facsimile, telephone, etc., using the contact information for the **Charter School Respondent** indicated below:

Gina Garcia Sharp
Registrar
registrar@oceancs.org
12870 Panama St., LA, CA 90066
310-827-5511

The request is not required to be in writing. Although Charter School shall accept verbal requests for records, to avoid ambiguity and confusion, it is encouraged that all requests be made in writing. A request may be made anonymously and Charter School shall not require that Requestors state a need for the information requested or how the information will be used.

Charter School shall assist a Requestor as needed in making a focused and effective request. To this end, Charter School shall provide suggestions to a Requestor for overcoming any practical basis for denying access to records or information sought and must assist the Requestor in identifying records and information that are responsive to the request.

Charter School shall not create new documents not otherwise in existence, in response to a request.

Charter School may charge a reasonable fee for the cost of copies provided to a Requestor.

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Upon receipt of a PRA request, the Charter School Respondent shall: 1. Acknowledge receipt of the request within 10 calendar days and review the request to determine whether Charter School maintains the requested records and whether the records requested fall within any exceptions listed in the Act.

2. If appropriate, notify the Requestor of an extension of time to determine if responsive records exist, on or before the 10th day after the request is received. This extension shall not exceed 14 days. On or before the 14-day period, the Respondent shall determine if responsive records are available. If so, the Respondent will either provide the Requestor with the records or will identify a date by which the records will be made available.

3. Coordinate the collection of records, review responsive records for exemptions and privilege, and produce responsive records to the Requestor.

4. Provide Requestor cost of records, collect good faith deposit (when applicable), and provide invoice and/or receipt for costs associated with records upon request.

5. Deny the request for records if, despite a diligent search effort, Charter School was unable to locate any records responsive to the request. This response is only appropriate after a good faith effort to identify, locate and/or uncover responsive records has been exhausted. Only the Respondent is authorized to issue a denial of a request.

Cost of Records

Charter School may charge a reasonable fee for the cost of copies provided to a Requestor. Charter School charges 25 cents for each page for copies of records up to 8 x 14 inches produced under a request, irrespective of whether they are produced in hard or electronic format. The actual cost of records larger than 8 x 14 inches, such as blueprints must be charged on a case-by-case, direct cost basis. Additionally, there are charges for postage, as well as media at $15 for a thumbdrive.

When a request requires data compilation, the Requestor shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services. The Requestor shall also bear the direct cost if unique software is needed to process the request. Charter School will provide an estimated cost for the request to the Requestor and will follow-up with an itemization of the actual costs when actual costs are determined.

Except as noted above and authorized by the Act, Charter School shall not charge for costs beyond the direct cost of duplication, which precludes overhead or the ancillary tasks associated with the retrieval, inspection and handling of the records. Charter School is not required to produce copies of records to a Requestor until the costs for duplication have been paid. If the records exceed 200 pages, the Requestor may be required to post a non-refundable, good faith deposit equal to 50% of the total cost of fulfilling the request.

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Charter School shall not waive fees authorized by the Act. Any requests for a waiver of fees shall be directed to the Respondent.

Inspection of Records

The public has a general right to inspect and/or obtain copies of records maintained by state and local agencies pursuant to the Act. While many records are accessible, the PRA as well as other statutes may preclude disclosure of records including, but not limited to, specified personnel records, medical records, and records prepared in connection with pending litigation.

Charter School may not charge a Requestor who wishes to come and inspect records. The Requestor and the Respondent will need to arrange a mutually agreeable time for the Requestor to review records. However, following an inspection, any copies requested by Requestor will be made available according to the fees described above in "Cost of Records."

Records Exempt from Disclosure

Charter School shall determine which records or a portion thereof are exempt from disclosure. There are numerous exemptions from the disclosure requirements established under the Act. There are numerous exemptions from the disclosure requirements established under the Act. The applications of those exemptions are exceedingly case specific. However, examples of these exemptions include preliminary drafts and notes, pending litigation, an employee's medical files, and personally identifiable student information subject to the Family Educational Rights and Privacy Act ("FERPA"). Once Charter School discloses a record to any member of the public, the disclosure may constitute a waiver of any exemptions to future disclosure that may have applied. If Charter School has waived exemption to disclosure, access to the same record may not be denied to others in the future. A record may not be withheld from production simply because part of the record may be exempt from production. Any reasonably segregable non-exempt portion of a record must be made available after deletion of the portions of the record that are exempt by law.

Electronic Records

Charter School must provide a copy of an electronic record in the format requested, if the format requested is one Charter School has used to create copies for its own use or to provide copies to other agencies. Charter School can offer to produce records in electronic format, but cannot make information available only in electronic format. If Charter School no longer has a record available in an electronic format, it is not required to reconstruct a record in an electronic format.