

## **Public Records Request**

In compliance with Oregon law the following guidelines apply to the dissemination, inspection and examination of the public records of Powell Butte Community Charter School (PBCCS):

1. A public records request shall be submitted in writing through the school office at 13650 Highway 126, Powell Butte, Oregon 97753.
2. Upon receipt of a written request, PBCCS shall respond within five business days<sup>1</sup> acknowledging receipt of the request or completing<sup>2</sup> PBCCS's response to the request. If PBCCS provides an acknowledgment of the request, it must:
  - a. Confirm that PBCCS is the custodian of the requested record;
  - b. Inform the requester that PBCCS is not the custodian of the requested record; or
  - c. Notify the requester that PBCCS is uncertain whether PBCCS is the custodian of the requested record.
3. If PBCCS is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date PBCCS is required to acknowledge receipt of the request as described above, PBCCS shall:
  - a. Complete its response to the public records request in accordance with ORS 192.329(2). If PBCCS determines that a record is exempt from public disclosure, PBCCS will include a statement to that effect, and that the requester may appeal the decision pursuant to state law; or
  - b. Provide a written statement that PBCCS is still processing the request and a reasonable estimated date by which PBCCS expects to complete its response based on the information currently available.
  - c. If PBCCS determines in order to complete the public records request there will be costs to be paid by the requestor, PBCCS will notify the requester of those estimated costs with this acknowledgement (see item 9 below)".
4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to PBCCS if compliance would be impracticable because:

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<sup>1</sup> "Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of PBCCS is scheduled to and does report to work. Business day does not include any day on which the administration office for PBCCS is closed.

<sup>2</sup> PBCCS response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

- a. The staff<sup>3</sup> necessary to complete a response to the public records request are unavailable;
- b. Compliance would demonstrably impede PBCCS's ability to perform other necessary services;  
or
- c. Of the volume of the public records request being simultaneously processed by PBCCS.

In these situations, PBCCS shall, as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request.

5. PBCCS may request additional information or clarification from the requester for the purpose of expediting PBCCS's response to the request as permitted by law. If PBCCS requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification. If the requester fails to respond within 60 days to a good faith request from the school for information or clarification, the school shall close the request.
6. If a copy of a public record is requested, PBCCS will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be made available in the form the record is maintained.
7. If a person who is a party to a civil judicial proceeding to which PBCCS is a party or who has filed notice under Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of public charter school records and at the same time to PBCCS's attorney.
8. Information will be made available to individuals with disabilities in an accessible format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.
9. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be reimbursed to PBCCS. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of \$.25 per page. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If PBCCS has informed the requester of a permitted fee, the obligation of PBCCS to complete its response to the request is suspended until the fee has been received by PBCCS. If the requester fails to pay the fee within 60 days of the date they were informed of the fee or fails to pay the fee within

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<sup>3</sup> Staff members who are on leave or are not scheduled to work are considered to be unavailable.

60 days of the date on which PBCCS informed them of the denial of the fee waiver, PBCCS shall close the request.

END OF POLICY

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**Legal Reference(s)**