

6800 UTAH GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT (GRAMA)

I. PURPOSE AND PHILOSOPHY

As a public entity, Weber School District seeks to conduct its business with transparency and to ensure the public has access to public records maintained by the district. Weber School District also recognizes and respects individual rights of privacy and will protect that privacy to the extent allowed by the law whenever possible. The purpose of this policy is to establish procedures for requesting public records under Utah's Governmental Records Access Management Act (GRAMA), Utah Code 63G, Chapter 2.

II. POLICY

It is the policy of Weber District to comply with all state and federal laws regarding its records. The District will comply with the provisions of the GRAMA regarding the classification, designation, access, denials, segregation, appeals, management, retention, and amendment of its records. As allowed by GRAMA the District adopts this policy to set forth certain fees and procedures to be followed by the District. If any item is not covered in this policy, then the provisions of GRAMA as currently enacted shall control.

Requests for student records, as defined below, are subject to the District's FERPA policy, and are not governed by this Policy.

III. DEFINITIONS

- A. "Extraordinary Circumstances" means the same as the term defined in Utah Code §63G-2-204(6)
- B. "Requestor" means a person requesting access to a public record maintained by the District, in accordance with the procedures set forth in this policy.
- C. "Public record" means a record that is not classified as private, controlled, or protected and that is not exempt from disclosure under a state or federal statute or regulation, such as the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99, ("FERPA").
- D. "Student record" means an education record as defined in FERPA, which contains personal identifiable student information and which is maintained by the District.

the duties of the Records Officer. Requests for records must be submitted in writing to the Weber School District Offices at 5320 Adams Avenue Parkway, Ogden, Utah 84405, with all information required by GRAMA to the attention of the following individuals for the type of record requested.

Student Records	Director of Student Services
Personnel Records	Director of Human Resources
All Other Records	Community Relations Specialist/Designee

2. Nothing in this policy shall prevent a District employee from responding to an informal request for records provided the requestor is entitled to the information. However, no employee is required to respond to such informal requests and may direct a requestor to submit any request as described above.
3. Any questions regarding access to records should be referred to the Community Relations Specialist or the person designated by the Community Relations Specialist.

C. Response Times:

1. The District hereby determines that its resources are insufficient to comply with the response times set forth in GRAMA (63G-2-204). Absent extraordinary circumstances, the District will respond to all written requests that do not specifically request an expedited response within ten (10) business days by:
 - a. Approving the request and providing the record;
 - b. Denying the request;
 - c. Notifying the requestor that the District does not maintain the record and informing the requestor, if known, of the entity that maintains the record; or
 - d. Notifying the requestor that the District cannot approve or deny the request because of one of the extraordinary circumstances listed in Utah Code §63G-2-203(6), in which case the District shall follow the procedures for such extraordinary circumstances.
2. The District will make every reasonable effort to respond within five (5) business days to requests that seek an expedited response.

D. Appeals:

denying the appeal.

5. The Superintendent may, upon consideration and weighing of the various interests and public policies pertinent to the classification and disclosure or nondisclosure, order the disclosure of information properly classified as private under Utah Code §63G-2-302 or protected under Utah Code §63G-2-204 if the interests favoring access outweigh the interests favoring restriction of access.
6. The school district shall send written notice of the determination of the Superintendent to all requestors. If the Superintendent affirms the denial in whole or in part, the denial shall include a statement that **includes**:
 - a. a statement that the requester has a right under Utah Code to request the government records ombudsman to mediate the dispute between the requester and the governmental entity concerning the access denial or the fee waiver denial;
 - b. a statement that the requester or interested party has the right to appeal the decision, as provided in Utah Code §63G-2-402, within thirty (30) calendar days to the State Records Committee or district court
 - c. the time limits for filing an appeal including an explanation of a suspension of the time limits, as provided in Utah Code §63G-2-403(1)(c) and 63G-2-404(1)(b), for a requester if the requester seeks mediation; and
 - d. the name and business address of:
 - i. the executive secretary of the State Records Committee;
 - ii. the government records ombudsman.~~the requester has the right to appeal the denial to the Weber School Board (the "Board") within 30 days.~~

~~The appealing party shall submit to the Board a written appeal to which the District may respond in writing. As a part-time public body, the Board cannot decide the appeal within the timelines set forth in GRAMA but will render its decision within thirty (30) calendar days of receiving the written appeal.~~

~~If a party is not satisfied with the Board's decision, the requester may submit a request for review to the State Records Committee as provided for in GRAMA.~~