



Code: **KBA**
Adopted: 2/27/17
Readopted: 10/23/17

Public Records**

“Public record” means any information that:

1. Is prepared, owned, used or retained by the public charter school;
2. Is related to an activity, transaction or function of the public charter school; and
3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the public charter school.

Public record does not include messages on voice mail or on other telephone message storage and retrieval systems, or spoken communication that is not recorded.

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the executive director’s office.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.

The Board’s official minutes, its written policies and its financial records will be available at the public charter school executive director’s office for inspection by any citizen desiring to examine them during hours when the executive director’s office is open. All such information will be made available to individuals with disabilities in any appropriate format, upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about programs and services of their schools and will make every effort to disseminate information. The executive director is authorized to use all means available to keep parents and others of his or her particular charter school’s community informed about the public charter school’s program and activities.

No records will be released for inspection by the public or any unauthorized persons – either by the executive director any other person designated as custodian for public charter school records – if such disclosure would be contrary to the public interest, as described in state law.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the public charter school for the actual cost of making public records available pursuant to law. The public charter school will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Public charter school employee and volunteer addresses, electronic mail addresses (other than public charter school electronic mail addresses assigned by the public charter school to employees), social security numbers, dates of birth and telephone numbers contained in personnel records maintained by the public charter school are exempt from public disclosure pursuant to Oregon Revised Statutes (ORS) 192.445 and ORS 192.502 (3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. Public charter school electronic mail addresses assigned by the public charter school to employees are not exempt.

The public charter school will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the public charter school to identify public charter school employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The public charter school shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The public charter school shall retain and maintain its public records in accordance with Oregon Administrative Rule (OAR) 166, Division 400.

END OF POLICY

Legal Reference(s):

[ORS Chapter 192](#)
[ORS 338.115\(2\)](#)

[OAR 137-004-0800\(1\)](#)
[OAR 166-400](#)

SB 481 (2017)
HB 3464 (2017)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2017); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

OREGON DEP'T OF JUSTICE, OREGON ATTORNEY GENERAL'S, *Public Records and Meetings Manual* (2014).
Americans with Disabilities Act Amendments Act of 2008.