



Board of Trustees Resolution

WHEREAS the Board of Trustees of Achievement House Cyber Charter School desires to comply with applicable state and federal laws and exercise its authority to promulgate policies for Achievement House Cyber Charter School;

NOW, THEREFORE, be it resolved that the Board of Trustees of Achievement House Cyber Charter School adopts the following policy:

Right to Know Policy

I. Purpose

The purpose of this policy is to establish procedures to ensure that Achievement House Cyber Charter School complies with the requirements of the Right-to-Know Act, 65 P.s. § 66.1 et seq, which allows residents of the Commonwealth of Pennsylvania to inspect and obtain copies of public records.

II. Definition

For purposes of this policy, the terms set forth below shall have the following meanings:

"Business day" shall mean a calendar day in which the administrative office of the school is open for business and does not include any school day where the administrative offices are closed due to inclement weather, holidays or emergencies.

"Public Record" shall mean a record which is an account, voucher or contract dealing with the receipt or disbursement of funds by the school or its acquisition, use or disposal of services or supplies, materials, equipment or other property, and any minute, order or decision by the school fixing the personal or property rights, privileges, immunities, duties or obligations of any person or groups of persons.

The term "Public Record" shall not include any record, which if published or otherwise disseminated: (i) would disclose the initiation, progress or result of any investigation undertaken by the school in the performance of its official duties; (ii) would violate a state or federal law or a court order; (iii) would operate to the prejudice or impairment of a person's reputation or personal security; or (iv) would result in the loss of the school's receipt of federal funds.

"Record" shall mean a document maintained in any form.

"Requester" shall mean any person who is a resident of Pennsylvania and requests access to a record pursuant to the Right-to-Know Act.

"Response" shall mean access to a public record or written notice from the school granting, denying or partially granting and partially denying access to a record.

III. Requests for Access to Public Records

Any requester seeking access to or duplication of a public record must submit a written request addressed to the Right-to-Know Officer. The written request must identify, or describe the public record sought with sufficient specificity to allow the school to determine which record is being requested, and the name and address to which the school should send its response.

The school may, in its sole discretion, honor oral requests for public records in cases where access can be allowed immediately. However, an oral request shall not be considered an official request requiring a school response under this policy.

The school encourages a requester to complete the Right-to-Know Request Form when submitting a written request. Copies of that form may be obtained at the school office during regular business hours or on the school website.

Any requester may submit a written request or Right-to-Know Request Form in the following manner:

In person: At the Achievement House Cyber Charter School administrative offices on any business day during regular business hours.

By regular mail: Sent to the attention of the Right-to-Know Officer, at the Achievement House Cyber Charter School, 102 Pickering Way, 2nd Floor, Exton, PA 19341.

By email: Sent to the attention of the Right-to-Know Officer, at rtk@achievementcharter.com.

By facsimile: Sent to the attention of the Right-to-Know Officer, at the Achievement House Cyber Charter School offices at the following facsimile number 484-888-8907. A written request sent via facsimile will not be considered submitted until a complete and legible copy of the facsimile is received by the person to whom it is addressed.

A request for records shall be submitted in person, by mail, email, or facsimile.

IV. Achievement House Cyber Charter School Response to Written Request

The school will advise the requester if the record is on the school's official website and will suggest access through the website if the record is on the website. If the record is not on the website or access through this means is not satisfactory to the requester, the school will respond to a written request within five (5) business days after its receipt by the person designated in this policy to receive requests.

During that period, the school will make a good faith effort to locate the requested record, determine if it constitutes a public record, redact any confidential portions to allow for disclosure and prepare an appropriate response.

The school's response may take any of the following forms:

1. A decision that the requested record is a public record and allowing the requester to inspect and obtain a copy of the public record, in whole or in part;
2. A written denial explaining why the requested document is not a public record thus resulting in the denial of the request, in whole or in part; or
3. A written notice explaining the request is under review and a final determination can be expected within thirty (30) calendar days from the date of the notice.

A decision to grant a request shall be in writing and may also be communicated in person or by telephone in appropriate circumstances.

A written denial of a document request shall set forth the following information:

1. A description of the record requested;
2. The specific reason for the denial, including a citation of supporting legal authority;
3. The name, title, address, telephone number and signature of the school employee who issued the denial;
4. The date of the response; and
5. An explanation of the procedure to appeal the denial.

A written notice explaining a request is under review shall set forth the reasons for the review and advise of the date when a final response can be expected, which date shall be within thirty (30) calendar days from the date of the notice. The school may advise that the request is under review if any of the following applies:

1. The requested record requires redaction;
2. The request requires the school to retrieve records that are stored in a remote location;
3. The school cannot timely respond due to bona fide and specified staffing limitations;
4. A legal review is necessary to determine if the record is a public record;
5. The request does not comply with the school policies regarding access to records; or
6. The requester has failed to pay applicable fees.

The school shall render a final determination regarding a written request within thirty (30) days from the date of written notice explaining a request is under review.

If the school does not provide the requester with a written response within the designated time periods, the written request may be deemed denied and the requester may file an administrative appeal within fifteen (15) business days of the expiration of the designated time period, as provided by Section IX of this policy.

V. Redacting Records to Allow for Public Access

If a requester seeks access to a record determined to contain both information subject to disclosure and information that is not subject to disclosure, the school shall grant access to the information subject to disclosure contained in that record and redact the information not subject to disclosure if it is possible to redact the information not subject to disclosure. The school, in its sole discretion, may provide information subject to disclosure contained in a redacted record in a format of its choice, which will allow for timely disclosure of information subject to disclosure while simultaneously protecting against the release of information not subject to disclosure, if the information not subject to the disclosure is an integral part of the record and cannot be separated, the school shall deny access to the record.

Home addresses and telephone and social security numbers of students and employees are generally not subject to public disclosure and, therefore, will normally be redacted from a record otherwise considered a public record.

VI. Electronic Access to Public Records

The school, in its sole discretion, may make public records available through publicly accessible electronic means. If the school chooses to do so, the school will apprise a requester when a requested record is available through publicly accessible electronic means and advise where the public record may be reviewed and downloaded. If the public record is only maintained electronically, the school will make a paper copy available for inspection upon request, subject to payment of the applicable fee.

The school will permit electronic access to a public record if it is routinely available only by electronic means, or if the requester requests electronic access and the record exists in electronic form. A public record will not be considered "routinely available only by electronic means," if the school maintains a readily available paper copy of that record for requester review.

If a requester makes a written request to access a public record in electronic form, and the public record exists in that medium, the school will provide access to the record in one of the following manners as decided by the school:

1. Provide a computer disk containing the record in electronic form;
2. Respond with an e-mail containing an attachment or electronic link to the record;
3. Provide access to a school-owned computer for the requester to obtain access to a record in electronic form; or
4. Provide a paper copy of an electronically stored public record, if confidential information must be redacted from that record to permit access to the public information.

VII. Inspection of Public Records

After determining that the record requested is a public record, the school will allow inspection and duplication. The school will provide access in the medium requested if the record exists in that medium. The school will not create a record that does not exist and will provide access to public records in the formats in which they exist. The school shall not charge a fee if a requester only seeks to inspect a public record, except where conversion of a record to paper is required.

The inspection of a public record by a requester shall take place at the school offices during regular business hours; unless an alternative location is designated in advance by the school.

In order to preserve the integrity of its public records and school facilities, the school will take reasonable steps to ensure that a requester does not alter, deface or otherwise damage public records or school facilities. Such reasonable steps will include, but are not limited to: the prohibition of eating and drinking when inspecting public records; employee monitoring of a requester while inspecting public records; and the immediate termination of the inspection of public records if the school reasonably believes the requester's conduct would result in damage to its public records or school facilities.

A requester is required to comply with all school rules and procedures applicable to the public when present at school facilities. The school may ask a requester to immediately leave its school facilities if the requester engages in conduct which materially disrupts the operations of school facilities, accesses or attempts access to unauthorized areas of the school facilities or records, or threatens, harasses or intimidates school staff or students.

VIII. Duplication, Certification and Transmission of Public Records

A public record will be duplicated for the requester if duplication is requested.

The school will charge the following fees when a requester seeks to obtain a copy of a public record:

1. Photocopying: Black and White Copies \$0.25 per page; Color Copies \$0.50 per page; Specialized Documents – actual cost per page
2. Conversion to Paper: \$0.25 per page
3. Certified copy: \$5.00 per record
4. Electronic copy of a record: Electronic copies will be provided by means of a computer disk. For the transfer of an electronic file to a computer disk, the charge is \$1 for the disk plus \$20 per hour with a minimum charge of \$20.
5. Mailing copy of a record: Actual cost of shipping or postage.

The total sum owed for the duplication, certification or transmission shall be paid in cash before the public record is given to the requester. If the duplication or transmission of a public record will cost one hundred dollars (\$100) or more, that fee must be paid in advance of the request being processed.

Generally, a requester seeking to obtain a duplicate of a public record is required to appear in person to do so. In appropriate cases, the school may decide, in its sole discretion, to mail or otherwise deliver duplicate copies of public records to a requester. The requester shall be responsible for the payment of all shipping or postage charges associated with the delivery of a duplicate public record from the school to the requester.

The school, in its sole discretion, may decide to waive fees associated with the reproduction or delivery of public records if it deems it is in the public interest to do so.

IX. Filing of Exceptions

If a requester wishes to challenge the written denial or deemed denial of a written request for a public record, the requester must file exceptions with the Board of Trustees within fifteen (15) business days from the date of the written denial or deemed denial. The exceptions shall be in writing and explain the reasons why the requester believes the requested record is a public record and respond to any grounds stated by the school for delaying or denying the request.

The Board of Trustees or a designee may decide to conduct a hearing on the appeal but is not required to do so. A final written decision on the exceptions shall be made within thirty (30) calendar days of the mailing date or hand delivery of the exceptions. If the CEO and/or Principal or designee determines the written request was correctly denied, the requester may file the appropriate document to challenge that final determination with the court of common pleas or local school justice within thirty (30) calendar days from the mailing date of that decision.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND FEDERAL LAWS, THE STATE AND FEDERAL LAWS APPLY. ADMINISTRATION IS ENCOURAGED TO CONTACT THE SCHOOL'S SOLICITOR WHEN QUESTIONS ARISE IN CONNECTION WITH THIS POLICY.

Adopted this 21st day of March 2023.

President

Date

Secretary

Date