

## **For the Inspection and Copy of Public Records**

### **Under the Freedom of Information Act**

The Freedom of Information Act (the “Act”) (Title 29, Delaware Code, Chapter 100) establishes the right of the public to inspect and copy public records. Section 10003(b) of the Act provides that a public body, including the Providence Creek Academy Charter School (“the School”), must establish rules and regulations regarding access to public records, as well as fees charged for copying such records. [Click here to download the FOIA request form.](#)

Any Delaware resident shall be granted access to the School’s public records under the following terms and conditions:

#### **Requests**

1. Request for access to records shall be in writing, signed by the Delaware resident, and clearly identify the specific public record sought in sufficient detail to enable the School to locate the records with reasonable effort.
2. Requests should be submitted on the form using the provided link approved by the Providence Creek Academy Charter School Board of Directors and submitted to the Head of School.
3. A Delaware resident is entitled to inspect and copy public records (as defined under Section 10002) in the custody of the School. The Act defines “public record” to include: “information of any kind owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected by any public body relating in any way to public business, or in any way of public interest, or in any way related to public purposes regardless of the physical form or characteristic by which such information is stored, recorded or reproduced”. Neither the Act, nor the policy, requires that the School create a public record.
4. A request may be denied in part or in full and returned to the requestor for the following reasons:
  - The request does not adequately describe the records;
  - The request requires the School to create records, perform research, prepare a compilation of records, summarize information, or place information in a required format;
  - Reasons addressed in other areas of this policy not specified here.
5. Records will be reviewed to withhold from disclosure those records, or portions of records, which the Act does not deem public.
6. The review of any requested documents must be performed during regular business hours in the presence of a School employee as designated by the Head of School or the office responsible for maintaining such records. In no event will access be

provided at a time, or in a manner, which disrupts the normal operations of the School. No original documents may be removed from School property by the requesting Delaware resident.

7. The School reserves the right to deny any request in part or in full which does not comply with the requirements of this policy and/or the provisions of the Act.

### **Copying**

Copying of requested public records may be performed by School personnel, and provided as follows:

1. The School may, in its discretion, make the copies at the time of the review, or copy and mail the records to the requestor. The requestor may elect to pick up the copies during regular business hours and submit payment at that time.
2. Requested documents will be copied in existing form, without reformatting or creation of a new document, unless such customization is deemed reasonable and appropriate by the Head of School.

### **Fees**

1. The Act authorizes public bodies to charge Delaware residents any reasonable expense associated with copying the public record requested by the resident.
2. The charge for copying standard sized, black and white public records shall be 25 cents per sheet plus \$60.00 per hour pro-rated on an actual time Basis. A minimum of 15 minutes will be charged for labor of school employees to copy and record or document. The minimum of \$15.00 will be charged plus the cost per page of each document. This cost may be waived at the discretion of the Head of School due to the nature of the request.
3. The charge for microfilmed and/or microfilm printouts made by the School on standard sized paper shall be 25 cents per sheet.
4. The cost of printing information from computer databases is 25 cents per sheet. If the information is provided on a compact disc or other digital format, the charge shall be \$10.00 per disc or tape to cover reasonable expenses in creating the medium.
5. The School, in its sole discretion, may arrange to have records copied by an outside contractor. The requestor will be liable for all such costs.
6. Payment for copies is due at the time copies are released to the requestor. The School reserves the right to refuse to make copies for requestors who have outstanding balances.
7. The School may require prepayment of copying prior to mailing copies of requested records.
8. A Delaware resident shall not receive copies of any documents until all fees are paid in full.
9. School personnel will maintain a receipt register and, upon request, provide a receipt when payment is received.

## **Retention of Requests**

The request for public records, the public records copied, and the School's reply to these requests will be kept on file for a period of three (3) years. The School will make every effort to fulfill FOIA requests for access to the School's public records within ten (10) business days of the School's receipt of the request, unless mitigating circumstances occur. The Head of School has sole discretion to approve an extension, and the Delaware resident requesting access to the public records will be notified, in writing, of:

- The reason for delay, and
- The day, date, and time when the requesting party will have access to the public records sought. Such notification shall occur within ten (10) business days of the School's receipt of the request.

Questions should be addressed to the School Head of School.

Approved by the Board of Directors August 24, 2016