



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: E – Support Services
POLICY TITLE: Records Access and Management / GRAMA
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1. PURPOSE & PHILOSOPHY

This policy provides guidelines to manage, classify, access, preserve, and dispose of District records in compliance with applicable Utah state laws and regulations, including, but not limited to, the Government Records Access and Management Act (GRAMA) ([Utah Code Ann., Section 63-2-101, et seq.](#)); and to provide public access to District records in accordance with state laws and regulations while protecting individual rights of privacy.

2. DEFINITIONS

“**Record**” or “**Records**” includes a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics that is prepared, owned, received, or retained by the District, and the information is reproducible by photocopy or other mechanical or electronic means. Drafts, personal notes, and personally owned documents are not records ([Utah Code Ann., Section 63-2-103\(22\)](#)).

3. RECORDS MANAGERS

- 3.1 The Superintendent is designated as the “Records Manager” for all files and records of the District.
- 3.2 The Business Administrator is designated as the “Records Manager” for all business and financial files and records of the District.

- 3.3 The Director of Human Resources is the “Records Manager” for all employee and personnel files and records of the District.
- 3.4 The Director of Special Education & Federal Programs is the “Records Manager” for all special education / federal program files and records of the District.
- 3.5 The Director of Secondary Education is the “Records Manager” for all student files and other records in secondary schools.
- 3.6 The Director of Elementary Education is the “Records Manager” for all student files and other records in elementary schools.
- 3.7 Each Principal and Supervisor is a “Records Manager” responsible for managing and maintaining records at his/her school and department site. Specific record management and maintenance responsibilities may be designated by the primary Records Managers listed above.

4. RESPONSIBILITIES OF RECORDS MANAGERS

Each Records Manager will perform the duties and responsibilities set forth in [Utah Code Ann., Section 63-2-903](#) and review and respond to a request for access to records under their supervision (“GRAMA request”). All GRAMA requests shall be coordinated through the Superintendent and Legal Counsel, and processed by use of the District’s GRAMA forms.

5. GRAMA REQUEST

A person may request to inspect or receive copies of the District’s records by filing a written GRAMA request. The GRAMA request must contain the necessary information on the requestor and a specific description of the records being requested.

6. RECORDS CLASSIFICATION

- 6.1 Records Managers, with assistance from Legal Counsel, will be responsible to evaluate and classify records under their supervision as set forth in [Utah Code Ann., Section 63-2-306](#).
- 6.2 A record shall be classified under one of the following categories:
 - 6.2.1 “Public” records as described in [Utah Code Ann., Section 63-2-301](#);
 - 6.2.2 “Private” records as described in [Utah Code Ann., Section 63-2-302](#);
 - 6.2.3 “Controlled” records as described in [Utah Code Ann., Section 63-2-303](#);
 - 6.2.4 “Protected” records as described in [Utah Code Ann., Section 63-2-304](#); OR

6.2.5 “Exempt” records as described in [Utah Code Ann., Section 63-2-201\(3\)\(b\)](#).

7. RECORDS ACCESS

7.1 All GRAMA requests shall be submitted to the Superintendent. The Superintendent shall delegate responsibility for responding to the GRAMA request in coordination with Legal Counsel.

7.1.1 Any inspection of a “public” record shall be during normal business hours in accordance with [Utah Code Ann., Section 63-2-201](#).

7.1.2 All “private,” “controlled,” and “protected” records shall be disclosed only in accordance with [Utah Code Ann., Section 63-2-202](#).

7.2 Approved GRAMA requests shall be provided in a timely manner in accordance with [Utah Code Ann., Section 63-2-204](#).

7.3 All GRAMA requests shall be responded to and processed by use of the District’s GRAMA forms.

8. FEES

8.1 A fee shall be charged for the District’s actual cost of duplicating a requested record and also for personnel time in compiling and obtaining the record as follows ([Utah Code Ann., Section 63-2-203\(2\)](#)):

8.1.1 A copy fee of ten (10) cents per page for each single sided copy.

8.1.2 A copy fee of fifteen (15) cents per page for each double sided copy.

8.1.3 A fee of twenty-two dollars (\$22.00) per hour for District personnel time shall be charged for searching, formatting, manipulating, tailoring, summarizing, and compiling a record, when such activities exceed fifteen (15) minutes.

8.2 The District shall require pre-payment from a requestor if the fees to produce the record are expected to exceed fifty dollars (\$50.00).

8.3 The District may not charge fees for:

8.3.1 Reviewing a record to determine whether it is subject to disclosure, except as otherwise permitted by [Utah Code Ann., Section 63-2-203](#);
OR

8.3.2 The requestor’s inspecting the record.

9. APPEALS

9.1 If a requester is dissatisfied with the Records Manager’s decision, the requester may submit a written appeal to the Superintendent by use of the District’s Notice of Appeal form according to time limits and provisions of [Utah Code Ann., Section 63-2-401](#).

9.1.1 If the requestor is dissatisfied with the decision of the Superintendent, the requestor may file an appeal to the State Records Committee in accordance with [Utah Code Ann., Section 63-2-403](#), or petition for judicial review in the district court as provided by [Utah Code Ann., Section 63-2-404](#).

9.2 An individual may contest the accuracy or completeness of a record in accordance with [Utah Code Ann., Section 63-2-603](#).

10. RECORDS RETENTION

The District shall retain records according to the schedule established by the State Records Committee in accordance with [Utah Code Ann., Section 63-2-604](#).

11. STUDENT RECORDS

All student records are designated as “education records” and the disclosure of such education records is not governed under GRAMA but under the Family Education Rights and Privacy Act of 1974 (FERPA) (20 [U.S.C.](#) Section 1232(g); 34 [C.F.R.](#) Section 99, et seq.; and 34 [C.F.R.](#) Section 300, et seq.). The District may not release information related to educational records without parental consent, except as otherwise provided in FERPA (see Nebo School District Policy - Student Records #JO).

12. COPYRIGHTED OR PATENTED MATERIALS

Any record which is copyrighted, either by formal filing under federal copyright laws or by informal claim of copyright, or which is covered by a patent, trademark, or other protected designation, shall not be copied or provided to any person without a valid order of a court ordering such disclosure or written permission from the author of the record.

Exhibits

None

References

[Utah Code Ann., Section 63-2-101](#), et seq. - Government Records Access Management Act (GRAMA).

Forms

Nebo School District Request for a Record Government Records Access and Management Act.
Classification of Records Requested.
Notice of Denial of Request for Records.
Notice of Appeal.
Notice Identification Required.
Notice of Extended Time for Response to Records Request.
Consent for the Release of Information to a Third Party.
Terms of Disclosure of a Controlled Record.
