Open Records Request Procedure

Approved 4/20/2016

Nittany Valley Charter School

The Open Records Office will be the CEO of Nittany Valley Charter School.

The Open Records officer shall receive requests submitted to Nittany Valley Charter School under the Right-to-Know Law, direct requests to other appropriate persons in accordance with the Right-to-Know Law, and track the progress of responding to requests under the Right-to-Know Law.

The Right-to-Know Law requires that the Open Records Officer act upon each non-anonymous written request when such request is submitted in person, by mail, by facsimile or e-mail. The request should identify or describe the Record or Records sought with sufficient specificity to enable Nittany Valley Charter School to ascertain which Records are being requested. The Right-to-Know Law provides that the Requester need not include the reason for the request or the intended use of the Records.

The Right-to-Know Law contemplate that Requesters will receive a Response within the five (5) business day period.

For purposes of determining the five (5) business-day period:

(a) A business day shall be from 8:00 a.m. until 4:00 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, except those days when the school is closed for all or part of a day due to a holiday; due to severe weather (such as a blizzard or ice storm); due to natural or other disaster; or due to the request or direction of local, state, or federal law enforcement Officers.

(b) Any Open Records Request received by the Open Records Officer after the close of its regular business hours shall be deemed received by that office on the following business day.

 (c) For purposes of determining the end of the five (5) business day period, the day that an Open Records Request is received (or deemed received) is not counted. The first day of the five business day period is the school’s next business day.

The Open Records Officer may respond to a records request by notifying the Requester that the record is available through publicly accessible electronic means or that Nittany Valley Charter School will provide access to inspect the record electronically. If the Requester is unwilling or unable to access the record electronically, the Requester may, within thirty days following receipt of the notification, submit a written request to the Open Records Officer to have the record converted to paper. Nittany Valley Charter School shall provide access to the record in printed form within five days of the receipt of the written request for conversion to paper.

The Act provides for three types of written final Responses:

1. Nittany Valley Charter School grants the entire Open Records Request
2. Nittany Valley Charter School refuses the entire Open Records Request.
3. Nittany Valley Charter School grants part of the Open Records Request and refuses the remainder.
4. Deemed Denials. The failure of Nittany Valley Charter School to make a timely final Response is a Deemed Denial under the terms of the Act.
5. Final Responses that deny Open Records Requests, either in whole or in part shall be in writing by the Open Records Officer and include all of the following:
* A description of the record requested.
* The specific reasons for the denial, including a citation of supporting legal authority.
* The typed or printed name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial is issued.
* Date of the response.
* The procedure to appeal the denial of access under the Right-to-Know Law.

Nittany Valley Charter School may deny a Requester access to a record if the Requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on Nittany Valley Charter School. Such denial shall not restrict the ability to request a different record.