



Brabeion Academy Policy 4000s: Community Relations

BRABEION ACADEMY

4110

Parent Complaints and Grievances

Brabeion Academy values open and proactive communication among and between the members of the school community, including parents, students, faculty, staff, administration, and the Board. Issues that are not dealt with directly can become destructive to the school community and, therefore, detrimental to the learning process of our students. The adults in the Brabeion Academy community must model for its students a willingness to address conflict directly, respectfully, and at the lowest level possible, whenever possible.

It is the Board's desire that administrative procedures for settling complaints and grievances be an orderly process within which solutions may be pursued. Further, that the procedure provides prompt and equitable resolution at the appropriate level.

As such, Brabeion Academy created a grievance policy consisting of four steps that is designed to settle differences in a prompt and equitable manner. These procedures guide how any adult member of the school community – parent, employee (faculty or non-faculty), administrator, or other adult – is expected to express grievances about other members of the community. When the grievance involves a parent or other adult and a person employed by the school, a minimum 24-hour notice will be required to meet with a staff member. Additionally, at the time of the request, the person wishing to hold the meeting will submit a brief written statement to the school administrator regarding the nature of the concern. A school employee may request that a supervisor or administrator be present during the meeting.

The school's administration and Board both expect that conflict will be addressed and proactively dealt with following the fewest number of steps possible. The steps include:

- (1) Addressing the situation directly with the other person(s) involved;
- (2) Enlisting the assistance of an administrator to assist in facilitating a resolution;
- (3) Preparing a written grievance for the Chief Academic Officer, who then reviews and acts upon that grievance as appropriate; and
- (4) Preparing a written grievance for the Board of Directors, who then may choose to hear additional information at a Board meeting and will ultimately make a final decision, not subject to appeal.

It is important to emphasize that in most cases the Board will not become involved in a grievance until the final step of the process. Board directors are encouraged to refer any member of the school community who may approach them with a grievance to the school's grievance policy and the proper process for resolving the issue.

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Uniform Grievance Procedure

It is the Board of Director's desire that administrative procedures for settling complaints and grievances of any and all persons (i.e., staff, students, patrons, hereinafter "grievant") be an orderly process within which solutions may be pursued. Further, it is the intent of the Board that the procedure provide prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each grievant be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

Grievance Procedure

This grievance procedure should be followed if a grievant believes that the Board, its employees or agents have violated the grievant's rights guaranteed by the State or federal constitutions, State or federal statutes, or Board policy.

The School will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Grievances will be processed according to the step-by-step process outlined below. However, if a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step and the process shall be modified as needed to meet the objectives of the Grievance Procedure. If a grievance is directly based on official Board action, the grievance shall be directed to the Clerk of the Board. The grievance may be heard by the Board at the sole discretion of the Board.

Level 1: Informal

A grievant with a complaint is encouraged to first discuss it with the teacher, counselor, or administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

Level 2: Head of School and Sport

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating the nature of the grievance and the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the Head of School and Sport within 60 days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the Head of School and Sport shall investigate and attempt to resolve the complaint within 30 school business days. If either party is not satisfied with the Head of School and Sport's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the Head of School and Sport's decision. This request must be submitted to the Board within 15 days of the Head of School and Sport's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504, of the Rehabilitation Act, or sexual harassment, the Head of School and Sport shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The School has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Head of School and Sport within 30 school business days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Head of School and Sport agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Head of School and Sport rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within 15 days of receiving the report of the Coordinator to the Board for a hearing.

If the complaint requests reconsideration of library or school materials, the School will convene a reconsideration committee to review the materials complained about. The reconsideration committee will make a recommendation regarding the materials to the Head of School and Sport, who will then decide whether to keep, limit access to, or do away with the materials under scrutiny.

If the list of books and/or materials is so long that it exceeds the School's capacity to reasonably review all materials within 60 days of receiving the complaint, the School will put the materials in a "pending temporary review" restricted access area starting 60 days after the complaint is received and until the full review from the reconsideration committee is completed and a recommendation has been made.

Level 3: The Board

Upon receipt of a written appeal of the decision of the Head of School and Sport, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within 30 days of that meeting. The decision of the Board will be final.

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Uniform Grievance Form

Concern You Would Like Addressed (i.e. books, personnel, Board) _____

Your Name: _____

Date: _____

Mailing Address: _____

Phone Number: _____

Problem: _____

Examples that validate the problem: _____

Results of Problem: _____

Suggested Solutions: _____

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Visitor Policy

At Brabeion Academy, we value the participation and involvement of our parents in their students' education. As such, we always encourage our parents to spend time volunteering at the school. Pursuant to Idaho Administrative Code, all volunteers who have unsupervised contact with students are required to complete and pass a criminal background check. Unsupervised contact is defined as direct contact or interaction with students not under the direct supervision of a school employee. This includes contact or interactions with students in scheduled school activities that occur outside of the school or outside of normal school hours.

All visitors are required to check in at the office for a visitor's pass. If the purpose of the visit is to check your child's progress, it is necessary to contact the teacher in advance to schedule a convenient time. **Any questions or conferences should be reserved for an appointed time when more privacy and time is available.** Also know that we cannot honor requests for relatives and friends to visit the school during the school day. Parents are not to interrupt instructional time or teacher's preparation periods without first scheduling an appointment.

Those volunteers who will have unsupervised contact with students (not under direct supervision of a school employee) must meet the conditions of Idaho Code regarding a background check including fingerprinting (Idaho Code 33-130).

Fingerprinting

Volunteers must contact the school receptionist to inform the school that they wish to undergo fingerprinting. Volunteers should send an email to fingerprintrequests@sde.idaho.gov with your mailing address to obtain an Idaho State Department of Education fingerprint card, or visit 650 W. State St, Second Floor to pick one up. You must fingerprint on an Idaho SDE fingerprint card. After receiving your fingerprint packet, visit your local police department or sheriff's office to have your fingerprints taken

Volunteers (at the expense of the volunteer): \$30.00

Helpful Links:

[Directions for Completing Fingerprint Card](#)

Background Investigation Process

First time applicants or applicants who have completed the process more than six (6) months ago:

Complete the Background Information Check Form [HERE](#)

SDE Fingerprint Card (process above)

Volunteers (at the expense of the volunteer): \$30.00

[Noncriminal Justice Applicant Privacy Statement](#)

Applicants who have completed LESS than six (6) months ago: Complete the Background Information Check Form [HERE](#)

No other forms or fees are required.

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Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities on a basis equal to those without disabilities and will not be subject to illegal discrimination.

The School may provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

The Head of School and Sport is designated the Americans with Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the School's compliance efforts, recommend necessary modifications to the Board of Directors, and maintain the School's final Title II self-evaluation document and keep it available for public inspection for at least three years after its completion date [FOR CHARTER SCHOOLS WITH 50 OR MORE FULL OR PART TIME EMPLOYEES]; and
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Head of School and Sport if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Head of School and Sport, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

The School will provide the parent/guardian of each student who has a disability with a copy of the Procedural Safeguards Notice available on the website of the Idaho State Department of Education. This notice will be provided one time each year. It will also be provided, as outlined in 34 C.F.R. 330.504(a), upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing, upon a disciplinary action constituting a change in placement, and upon the request of a parent/guardian. The notice must be provided in the parent's/guardian's native language unless it is not feasible to do so.

Cross Reference:
4120 Uniform Grievance Procedure

Legal References:

20 U.S.C. §§ 1400 – 82 Individuals with Disabilities Education Act (IDEA)

20 U.S.C. § 1415 Procedural Safeguards

42 U.S.C. §§ 12111, et seq. The Americans with Disabilities Act of 1990
& 12131, et seq.

28 C.F.R. Part 35. Nondiscrimination on the Basis of Disability in State and Local Government Services

34 C.F.R. § 300.504 Procedural Safeguards Notice

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School-Support Organizations

The Board recognizes that parent, teacher and student organizations are an invaluable resource to Brabeion Academy and supports their formation and vitality. The Board of Directors declares that the PTO will not be considered a booster organization. While parent, teacher and student organizations have no administrative authority and cannot determine Brabeion Academy policy, their suggestions and assistance are always welcome. Membership must be open and unrestricted.

Booster clubs and/or special interest organizations may be formed to support and strengthen specific activities conducted within Brabeion Academy. All such groups must receive the approval of the Head of School and Sport and the Board in order to be recognized as a booster organization. These organizations must keep on file in the Head of School and Sports' office a record of officers, bylaws, mailing addresses and other pertinent information as may be required by the Head of School and Sport. Staff participation, cooperation and support are encouraged in such recognized organizations.

Ex-Officio Board Member

The Board of Directors shall allow the elected President of the Parent-Teacher Organization (PTO) or a designee to serve with the Board in a non-voting ex-officio capacity. This position does not participate in any executive sessions of the Board.

Approving Activities of Booster Organizations

Booster-proposed plans, projects or activities must be evaluated and promoted in light of their stated contribution to the curricular as well as the extracurricular programs of Brabeion Academy. Careful consideration must be given to the total value of all students, rather than to specific elements such as team participants.

Annually, booster organizations must submit to the Head of Schools or designee their tentative goals and objectives along with their fundraising plans for the next school year for review by the Board. Should the goals and objectives or fundraising plans change during the school year, the Head of Schools or designee is to be advised before any final revisions are made.

Booster organizations must abide by all Brabeion Academy policies as well as the following:

1. Booster organizations may not use Brabeion Academy's tax ID number.

2. Booster organizations may not accept checks made out to Brabeion Academy. Brabeion Academy may not accept checks made out to the booster organization.
3. School officials should not have a leadership role in booster organizations.
4. Fundraising activities should not occur on school premises or during school hours unless permission has been given by the Head of Schools or designee.
5. Booster organizations must submit to the Head of Schools/Designee for review and approval of annual reports on income, expenses and balance sheets.

Fund-Raising by School Support Groups

Fund-raising by school support groups is considered a usual and desirable part of the function of such groups. The specific fund-raising activities must be approved in advance by the Head of School and Sport.

The Head of School and Sport must be consulted prior to any expenditure of such funds. All such funds raised by school adjunct groups are to be used for the direct or indirect support of school programs. Equipment purchased by support groups and donated to the schools becomes the property of Brabeion Academy and may be used or disposed of in accordance with school policy and state law.

Announcements of booster organization events and activities should clearly indicate that it is sponsored by a group and not the school. Groups should warrant that the activities will be adequately supervised.

Financial Records

Booster organizations shall handle their own accounting and bookkeeping procedures and maintain their own separate accounts for income and expenditures. However, each organization shall be required to submit an annual financial report to the Board/Head of School and Sport/Designee giving a full accounting of their financial dealings for the year including money raised and expended. The organization shall also submit to the Head of School and Sport backup documentation. Adequate, auditable financial records shall be maintained at all times.

Booster organizations shall use a fiscal reporting period that begins July 1 and ends June 30. Only elected officers of the booster organization may be authorized to sign checks drawn on the bank account of the organization. Two signatures are required on all organization checks. Persons authorized to sign may not be related nor live in the same house. An employee of the school may not be authorized to sign checks drawn on the bank account of a booster organization operating at that school.

No member or officer of any school associated organization shall draw a salary or receive wages of any kind in connection with their work with any school associated organization with the exception that members or officers may be reimbursed for personal expenditures made on behalf of the organization to a maximum of \$1,000.00 per year as verified by actual receipts. Any school associated organization failing to submit an annual financial statement as required by this policy shall be subject to having the Board approval withdrawn and will no longer be allowed to raise funds on behalf of the school or use the name of the school in any way, or imply or infer that they are a school associated organization.

Audit

Any booster organization shall be required to conduct annual audits of their financial records. Brabeion Academy does/ require booster organizations to hire an audit committee or qualified accountant to conduct the organization's audit.

Liability and Insurance

Brabeion Academy requires any booster organization or like organization to obtain and keep current liability insurance in the amount of \$1,000,000 naming Brabeion Academy as additional insureds.

High School Activities Association Regulations

The Idaho High School Activities Association Rules and Regulations prohibit remuneration of any kind from any source outside the local school board in return for services rendered in instructing or coaching any high school athletic team. Said prohibition shall also apply to any coach, instructor or advisor of other teams, clubs, groups, etc. Coaches, instructors or advisors may receive appreciation gifts from team members, students parent or community organizations that do not exceed the value of an IHSAA player award.

Parameters for Use of Brabeion Academy's Name, Logo or Mascot

The use of Brabeion Academy name, logo or mascot by booster organizations must be authorized by the Head of School and Sport or designee. The Head of School and Sport or designee may revoke the authorization to use Brabeion Academy's name, logo or mascot if the Head of School and Sport or designee determines that the booster organization has failed to comply with the terms of this policy or any other Brabeion Academy policy. The Head of School and Sport or designee will notify the booster organization in writing of the reason for the revocation. The booster organization may appeal the revocation to the Board whose decision will be final. The appeal must be filed in writing and submitted to the Board Secretary no later than five business days from the date of the Head of School and Sport's/designee's letter.

In the event a booster organization's authorization to use Brabeion Academy's name, logo or mascot is revoked, the booster organization will within three business days of the final decision provide to Brabeion Academy Business Manager for deposit all of the funds in its possession.

Donations

Any item that a booster organization proposes to contribute to the school must meet all legal requirements, including safety codes. Before accepting any such donation, the Head of Schools/Designee must ensure that funding is available to install and maintain all donated equipment, such as playground equipment, in compliance with all safety requirements. All items donated become the property of Brabeion Academy. While the intent of the donation will be considered, Brabeion Academy reserves the right to modify the use if the needs of the students or Brabeion Academy change.

Discrimination

Brabeion Academy and booster organizations may not create a vast difference in benefits or services to female and male athletes and/or students. Brabeion Academy and booster organization must ensure that any contribution by the booster organization does not create a disparity in participation opportunities, equipment, facilities, etc. between males and females.

Legal Reference: 34 C.F.R. § 106.31(b) Education Programs or Activities: Specific Prohibitions (Implementing Title IX))

Other Reference: Idaho High School Activities Association, Current Rules and Regulations Manual (available at https://idhsaa.org/asset/19-20Manual_Complete.pdf) (last accessed November 11, 2019)

Office of Civil Rights, Title IX Athletics Investigator's Manual (available at <https://eric.ed.gov/?id=ED400763>) (last accessed November 11, 2019)

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Records Available to Public

Subject to the limitations provided herein, and as provided by law, full access to public records concerning the administration and operations of the School shall be afforded to the public. Public access to School records shall be afforded according to appropriate administrative procedures.

Every person has the right to examine and take a copy of any public record at all reasonable times. All School records except those restricted by state and federal law shall be made available to citizens upon written request for inspection at the School office.

The Head of School and Sport shall serve, or designate someone to serve, as “Public Records Coordinator” with the responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, retention, and copying requirements of federal law, state law, and this policy. Responsibility and authority for indexing shall include identifying the general subject matter of all public records kept or maintained by the School, the custodian of these records, and their physical location. The identified physical location of the School’s records is provided in the Retention of Charter School Records Policy. The Public Records Coordinator shall authorize the inspection and copying of the School's records only in accordance with the criteria set forth in this policy and in compliance with state and federal laws.

A written copy of the Board’s minutes shall be available to the general public within a reasonable time after the meeting in which they are approved. Drafts of the Board’s minutes are considered to be public records and shall be produced upon request. However, the School shall watermark such public records with the statement “Unofficial Draft Minutes not yet reviewed or approved by Board.”

Definitions

A written copy of the Board’s minutes shall be available to the general public within a reasonable time after the meeting in which they are approved.

A “Public record” includes any writing containing information relating to the conduct or administration of the public's business prepared, owned, used, or retained by any state agency, independent public body corporate and politic, or local agency regardless of physical form or characteristics. Provided, however, that personal notes created by a public official solely for his or her own use shall not be a public record as long as such personal notes are not shared with any

other person or entity.

A "Writing" includes, but is not limited to, handwriting, typewriting, printing, photocopying, photographing, and every means of recording, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents.

Public records of the School do not include the personal notes and memoranda of staff that remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

Records Exempt from Disclosure

In accordance with Idaho Code, the following records shall NOT be subject to public inspection and/or copying:

1. Any public record exempt from disclosure by federal or state law or federal regulations to the extent specifically provided for by such law or regulation;
2. Retired employees' and retired public officials' home addresses, home telephone numbers, and other financial and non-financial membership records;
3. Records of a current or former employee other than the employee's duration of employment with the School, position held, and location of employment. This exemption from disclosure does not include the contracts of employment or any remuneration, including reimbursement of expenses. All other personnel information relating to an employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence, retirement plan information and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent;
4. Records relating to the appraisal of real property, timber, or mineral rights prior to its acquisition, sale, or lease by the School;
5. Any estimate prepared by the School that details the cost of a public project until such time as disclosed or bids are opened, or upon award of the contract for construction of the public project;
6. Records of any risk retention or self-insurance program prepared in anticipation of litigation, or for analysis of, or settlement of potential or actual money damage claims against the School and/or its employees except as otherwise discoverable under the Idaho or federal rules of civil procedure. These records shall include, but are not limited to, claims evaluations, investigatory records, computerized reports of losses, case reserves, internal documents, and correspondence relating thereto. At the time any claim is concluded, only statistical data and actual amounts paid in settlement from public funds shall be deemed a public record unless otherwise ordered to be sealed by a court of competent jurisdiction. Provided however, nothing in this subsection is intended to limit the attorney client privilege or attorney work product privilege otherwise available to any public agency or independent public body corporate and politic;
7. Computer programs developed or purchased by or for the School for its own use. As used in this subsection, "computer program" means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system, and any associated documentation and source material that explain how to operate the computer program. Computer program does not include:

- A. The original data including, but not limited to, numbers, text, voice, graphics, and images;
- B. Analysis, compilation, and other manipulated forms of the original data produced by use of the program; or
- C. The mathematical or statistical formulas that would be used if the manipulated forms of the original data were to be produced manually.

8. Personal information from any file maintained for students. Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act, Idaho Code, and adopted Charter School policy;

9. Test questions, scoring keys, or other examination data used to administer academic tests;

10. Records relevant to a controversy to which the Charter School is a party but which records would not be available to another party under the rules of pre-trial discovery for cases pending resolution;

11. Records of buildings, facilities, infrastructures, and systems when the disclosure of such information would jeopardize the safety of persons or the public safety. Such records may include emergency evacuation, escape, or other emergency response plans, vulnerability assessments, operation and security manuals, plans, blueprints, or security codes.

However, all personnel records of a current or former public official reflecting public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace, and employing agency are subject to public inspection and/or copying.

If the record requested for inspection and/or copying contains both information exempted from disclosure and non-exempt information, the School shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

Response to Requests

The School requires that a public records request be submitted by clicking on this [link](#) with the requester's name, mailing address, email address, and telephone number. The request shall specifically describe the subject matter and records sought, including a specific date range for when the records sought were created. The request shall be as specific as possible, describing the records sought in enough detail to let the Public Records Coordinator find the records with reasonable effort. The School may provide the requester information to help the requester narrow the scope of the request or to help the requester make the request more specific when the records requested are voluminous or costly.

The School shall either grant or deny a person's request to examine or copy public records within three (3) working days of the date of the receipt of a request for public records. If a longer period of time is needed to locate or retrieve the records, the School shall notify the person requesting the records of the same and provide the records to such person not later than ten (10) working days following the request. In the event an individual requests a record be provided in electronic format, the School shall provide the record in electronic format if the record is available in that format. If a record is requested in electronic format and the record cannot easily be converted to electronic format within ten (10) working days, the School shall notify the person requesting the records of this fact and provide them with an estimate of the time necessary to complete the conversion. The documents shall then be provided at a time mutually agreeable to the parties giving consideration to any limitations that may exist regarding electronic conversion.

If the School fails to respond, the request shall be deemed to be denied within ten (10) working

days following the request. If the School denies the request for examination or copying the public records or denies in part and grants in part the request for examination and copying of the public records, the public records coordinator shall notify the person in writing of the denial or partial denial of the request for the public record. The notice of denial or partial denial shall state that the attorney for the School has reviewed the request or shall state that the School has had an opportunity to consult with an attorney regarding the request for examination or copying of a record and has chosen not to do so. The notice of denial or partial denial also shall indicate the statutory authority for the denial and indicate clearly the right to appeal the denial or partial denial and the time periods for doing so.

The Public Records Coordinator is authorized to seek an injunction to prevent the disclosure of records otherwise suitable for disclosure when it is determined that there is reasonable cause to believe that the disclosure would not be in the public interest and would substantially or irreparably damage any person or would substantially or irreparably damage vital governmental functions.

Fee Waiver

The School will adhere to its copying fee schedule unless it is determined by the Public Records Coordinator that the individual making such a request has demonstrated information sufficient to fulfill the following test:

1. That the requester's examination and/or copying of public records is likely to contribute significantly to the public's understanding of the operations and activities of the government;
2. That the requester's examination and/or copying of public records is not primarily in the individual interest of the requester including, but not limited to, the requester's interest in litigation in which the requester is or may become a party; and
3. That the requester's examination and/or copying of public records will not occur if fees are charged because the requester has insufficient financial resources to pay such fees.

Upon a request that fees not be charged, and the Public Records Coordinator's consideration of the above factors, the Public Records Coordinator shall notify the requester in writing of their decision within ten (10) working days following the request. If the fee waiver is denied, the requester shall then have seven (7) days to file an appeal of the denial with the Head of School and Sport. The Head of School and Sport shall review the denial and either affirm or reverse the denial of the public records coordinator in writing within ten (10) working days of receipt of the appeal. In the event that the Head of School and Sport is the Public Records Coordinator then the appeal shall be filed within seven (7) days to the Board of Directors. At the Board's next regularly scheduled meeting, the Board shall review the denial of fee waiver and either affirm or reverse it. There shall be no further appeal beyond the Board.

The request shall not be fulfilled or prepared, and the time for response will not begin to run, until such time as the final determination as to fees has been addressed and any fees to be charged have been paid.

A requester may not file multiple requests for public records solely to avoid payment of fees. If the School suspects that this is the case then it can aggregate the related requests and charge based upon its copying fee schedule.

Fee Schedule

The copying fee schedule of the School is as follows:

1. The School shall not charge a fee for the first 100 pages of records or the first two (2) hours of labor in responding to a request;
2. Copies of public records - Brabeion Academy will charge the actual cost per page (cannot exceed actual cost) for copies beyond the first 100 pages or beyond the first (2) hours of labor in responding to a request;
3. The School will charge for the labor costs associated with locating and copying documents if:
 - A. The request is for more than 100 pages of records;
 - B. The request includes non-public information that must be redacted from the public records; and/or
 - C. The labor associated with locating and copying the records exceeds two (2) hours.
4. The fees for labor associated with responding to a public records request shall be charged at the per hour pay rate of the lowest paid administrative staff employee of the School who is necessary and qualified to process the request;
5. The fees associated with redactions required to be made by an attorney employed by the School shall be charged at the lowest paid hourly rate of the lowest paid attorney employed by the School or if there are no attorneys employed by the School than the rate shall be no more than the usual and customary rate of the attorney retained by the School.
6. Copy of a duplicate computer disc or similar record system the fee shall not exceed:
 - A. The School's cost of copying the information in that form;
 - B. The School's cost of conversion, or the cost of conversion charged by a third party, if the electronic record must be converted to electronic form.

Fees shall be collected in advance. The School shall provide requesters with an itemized statement of fees to show the per-page costs for copies and the hourly rate of employees and attorneys involved in responding to the request.

Cross References:

3570-3570P Student Records
4130 Public Access to Charter School Website
8605 Retention of Charter School Records

Legal References:

I.C. § 33-5204 Nonprofit Corporation—Liability—Insurance
I.C. § 74-101 et seq. Idaho Public Records Act
I.C. § 74-204 Open Meetings Law - Notice of Meetings — Agendas
IDAPA 08.01.01.100 Procedures for Responding to Requests for Examination and/or Copying Public Records

Other Reference:

Idaho Public Records Law Manual, July 2019 (available at <https://www.ag.idaho.gov/content/uploads/2018/04/PublicRecordsLaw.pdf>)

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Public Records Request Form

[FORM LINK](#)

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