The Pennsylvania LEADERSHIP CHARTER SCHOOL

Right to Know Law Policy

Purpose

The Board of Directors ("Board") of The Pennsylvania Leadership Charter School ("PALCS") adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 ("RTKL"). PALCS has made this policy available to the public at its administrative office(s) and on its public website, along with the Agency Right to Know ("RTK") Request Form and a link to the Office of Open Records ("OOR") RTKL Uniform Request Form. *See* 65 P.S. § 67.504(b) (relating to agency posting requirements under the RTKL).

Definitions

All of the definitions set forth in the RTKL are incorporated into this policy by reference. *See* 65 P.S. § 67.102.

AORO. The Agency Open Records Officer designated by the Agency pursuant to Section IV of this policy.

Website

The Pennsylvania Leadership Charter School maintains a public website at https://palcs.org. Many of the records most commonly requested from the PALCS are available on the website. The following information is also posted on the PALCS website: AORO contact information; contact information for the OOR via its website; the Agency RTK Request Form which may be used to file a RTKL request; and a copy of this policy. *See* 65 P.S. § 67.504(b).

Open Records Officer

Open Records Officer. The Agency has designated an AORO to respond to RTKL requests.

The contact information for the AORO is: Zealan Turner, AORO

- By Mail: 1332 Enterprise Drive, West Chester, PA 19380
- In Person: 1332 Enterprise Drive, West Chester, PA 19380
- Phone: 610-701-3333

- Email: RightToKnow@palcs.org

The contact information for the AORO is posted on the Agency website.

Submitting a Right to Know Law Request to PALCS

A. *Request.* Requests must be submitted in writing using the PALCS RTK Request Form, available on the PALCS website, or the OOR RTKL Uniform Request Form, available on the OOR website https://www.openrecords.pa.gov/RTKL/Forms.cfm, and must be addressed to the AORO. If a requester chooses not to use the PALCS RTK Request Form or the OOR RTKL Uniform Request Form, the request will be considered an informal request, not subject to the RTKL. This means that the requester cannot pursue the relief and remedies provided for in the RTKL. To allow PALCS to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify, as precisely as possible, the records sought. See 65 P.S. § 67.703. Requesters should clearly indicate the preferred method of access – paper copies, electronic copies or by inspection. A requester should retain a copy of the request, as a copy of the request is necessary should a requester appeal the school's response.

B. *Receipt of the request.* For the purpose of calculating the response deadline, PALCS is deemed to have received the request on the business day that the AORO receives the request. *See* 65 P.S. § 67.901. Any request that is received by PALCS after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by a PALCS employee other than the AORO, the request will be forwarded to AORO as soon as practical.

C. *Verbal requests.* PALCS will respond to verbal requests for records at its discretion. Requesters submitting verbal requests for records should be aware that they may not pursue the remedies available to a requester under the RTKL.

D. *Anonymous requests.* PALCS will not respond to anonymous requests for records.

E. *Response period generally.* PALCS has five (5) business days to respond to a request for records under the RTKL. If PALCS does not respond, the request is considered "deemed denied," and a requester's appeal rights commence.

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Agency Response

A. *Extension of time for response.* PALCS is permitted to take an additional thirty (30) calendar days to respond to any request for the reasons set forth in Section 902 of the RTKL. *See* 65 P.S. § 67.902. If PALCS invokes an extension, PALCS will inform the requester in writing, in accordance with the requirements set forth in Section 902(b)(2) of the RTKL.

B. *Requester's agreement to extend the response period.* In the instance that PALCS finds that additional time in excess of thirty (30) days following the five (5) business days is needed, PALCS may request additional time. The requester may agree, in writing, to extend the PALCS response period. *See* 65 P.S. § 67.902(b)(2). The requester must agree to the extension during the initial five (5) business-day response period or the extended thirty (30) calendar-day response period, if PALCS has invoked one.

C. *Trade secrets.* If a request involves records provided to PALCS by a third party and the third party previously provided PALCS with a written statement that the record contains a trade secret or confidential proprietary information, PALCS shall provide notice to the third party. *See* 65 P.S. § 67.707(b).

D. *Final response.* PALCS may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of PALCS will be in writing. Should PALCS fail to issue a response within the applicable response period, the request is deemed denied. *See* 65 P.S. § 67.901.

    a. *Granting access to records*. PALCS may grant a request for records by issuing a response: (1) granting access to inspect PALCS records during PALCS' regular business hours; (2) sending copies of the records to the requester; or (3) by notifying the requester that the records are available on the PALCS website or other publicly accessible electronic means. *See* 65 P.S. §§ 67.701(a), 704.

    b. *Denying or partially denying access to records*. Should PALCS deny or partially deny a request for records, PALCS will inform the requester of the denial or partial denial in writing. The response will describe the requested records, inform the requester that PALCS does not possess the responsive records or, if the records are exempt from public access, provide a citation to the relevant legal basis for withholding the requested records. *See* 65 P.S. § 67.903. Additionally, the response will provide the name, signature, title, business address and telephone number of the Open Records Officer who denied the

request, as well as the date of the response and the procedure to appeal the denial. *See* 65 P.S. § 67.903.

E. *Fees.* PALCS will charge fees consistent with the RTKL Fee Structure, available at http://www.openrecords.pa.gov/RTKL/FeeStructure.cfm. PALCS may, in its discretion, choose to waive some or all of the fees owed on a case-by-case basis.

Right to Know Law Appeals

A. *Generally.* To challenge the denial, partial denial, or deemed denial of a request for Agency records, an appeal may be filed using the OOR appeal form, available at http://www.openrecords.pa.gov/Appeals/AppealForm.cfm, or by contacting the OOR at the following address:

Office of Open Records
Commonwealth of Pennsylvania
333 Market St., 16th Floor
Harrisburg, PA 17101-2234
openrecords@pa.gov

B. *Requirements of an appeal.* All appeals must be filed within fifteen (15) business days of the mailing date of PALCS' denial, partial denial, or deemed denial of the request. All appeals must be in writing; must state the grounds upon which the requester asserts that the requested records are public records; must address any grounds stated by PALCS for denying the request; and must include a copy of the request and PALCS' response, if any. *See* 65 P.S. § 67.1101(a)(1).

Agency Notification of Third Parties on Appeal

If records affect a legal or security interest of an employee of PALCS; contain confidential, proprietary or trademarked records of a person or business entity; or are held by a contractor or vendor, PALCS must notify such parties of the appeal immediately and provide proof of that notice to the OOR within seven (7) business days from the date of the OOR's Official Notice of Appeal. Such notice must be made by (1) providing a copy of all documents included with the appeal to the OOR; and (2) advising that interested persons may request to participate in the appeal. *See* 65 P.S. § 67.1101(c).

Mediation

The RTKL requires the OOR to establish an informal mediation process to resolve disputes under the RTKL. 65 P.S. § 67.1310(a)(6). This is a voluntary process to help parties reach a mutually agreeable settlement on records disputes before the OOR. Mediation, a facilitated conversation between the parties that can serve as a fair and efficient tool to resolve conflict, can save time and expense. When appropriate, the Agency is open to resolving RTKL disputes through the OOR's mediation process.

Record Retention

Notwithstanding any other existing record retention policy, once a RTKL request is received, PALCS shall maintain, preserve, retain, protect, and not destroy any and all records, both electronic and hard copy, that are potentially responsive to the request until such time as the request is fulfilled and all associated appeals are resolved.

Additional Information About the Right to Know Law

Additional information about the RTKL, the request process, and the appeal process is available on the OOR website at https://www.openrecords.pa.gov.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

Adopted on this 17th day of April, 2025

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Chair, Board of Directors

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Secretary, Board of Directors

PALCS Board of Directors Signed Copy