



**UTOPIAN**  
ACADEMY FOR THE ARTS  
CHARTER SCHOOL NETWORK

## **OPEN MEETINGS AND OPEN RECORDS POLICY**

Utopian Academy for the Arts Charter School Network Governing Board holds meetings in accordance with the Open Meetings Act O.C.G.A § 50-14-1 et seq, and any amendment thereof.

### **Definitions**

**Executive session** means a portion of a meeting lawfully closed to the public.

**Meeting** means the gathering of a quorum of the members of the governing body of an agency at which any official business, policy, or public matter of the agency is formulated, presented, discussed, or voted upon; or the gathering of a quorum of any committee of the members of the governing body of an agency or a quorum of any committee created by the governing body, at which any official business, policy, or public matter of the committee is formulated, presented, discussed, or voted upon.

**Special Called Meetings** means a meeting called by the Governing Board Chair or Vice Chair and the CEO for a special purpose. A meeting of this nature may be called with less than 24-hour notice, have an posted agenda stating the purpose of the meeting, and meet the quorum requirements of a regular board meeting.

### **Exceptions**

Meeting shall not include:

- (i) The gathering of a quorum of the members of a governing body or committee for the purpose of making inspections of physical facilities or property under the jurisdiction of such agency at which no other official business of the agency is to be discussed or official action is to be taken;
- (ii) The gathering of a quorum of the members of a governing body or committee for the purpose of attending state-wide, multijurisdictional, or regional meetings to participate in seminars or courses of training on matters related to the purpose of the agency or to



receive or discuss information on matters related to the purpose of the agency at which no official action is to be taken by the members;

(iii) The gathering of a quorum of the members of a governing body or committee for the purpose of meeting with officials of the legislative or executive branches of the state or federal government at state or federal offices and at which no official action is to be taken by the members;

(iv) The gathering of a quorum of the members of a governing body of an agency for the purpose of traveling to a meeting or gathering as otherwise authorized by this subsection so long as no official business, policy, or public matter is formulated, presented, discussed, or voted upon by the quorum; or

(v) The gathering of a quorum of the members of a governing body of an agency at social, ceremonial, civic, or religious events so long as no official business, policy, or public matter is formulated, presented, discussed, or voted upon by the quorum.

This subparagraph's exclusions from the definition of the term meeting shall not apply if it is shown that the primary purpose of the gathering or gatherings is to evade or avoid the requirements for conducting a meeting while discussing or conducting official business.

### **Open Meetings**

Except as otherwise provided by law, all meetings shall be open to the public. All votes at any meeting shall be taken in public after due notice of the meeting and compliance with the posting and agenda requirements of this chapter. Any resolution, rule, regulation, ordinance, or other official action of Utopian Academy for the Arts Charter School Network Governing board adopted, taken, or made at a meeting which is not open to the public as required by this chapter shall not be binding.

Any action contesting a resolution, rule, regulation, ordinance, or other formal action of Utopian Academy for the Arts Governing Board based on an alleged violation of this provision shall be commenced within 90 days of the date such contested action was taken or, if the meeting was held in a manner not permitted by law, within 90 days from the date the party alleging the violation knew or should have known about the alleged violation so long as such date is not more than six months after the date the contested action was taken. (3) Notwithstanding the provisions of paragraph (2) of this subsection, any action



under this chapter contesting a zoning decision of a local governing authority shall be commenced within the time allowed by law for appeal of such zoning decision.

## **Open Records**

The Georgia Open Records Act, § 50-18-70, *et seq.*, outlines the process for how members of the public can request and inspect governmental records. According to O.C.G.A. § 50-18-70 (b)(2), the term "public record" includes "all documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, data, data fields, or similar material prepared and maintained or received by an agency or by a private person or entity in the performance of a service or function for or on behalf of an agency or when such documents have been transferred to a private person or entity by an agency for storage or future governmental use."

Not all governmental records are public records. No public officer or agency must prepare a new report, summary, or compilation if no such record exists when a member of the public submits an Open Records Request. O.C.G.A. § 50-18-71 (j). Even if a record exists at the time of the request, state law may treat some or all of the information contained in such record as exempt from disclosure or confidential. The Georgia Open Records Act outlines applicable exemptions in O.C.G. A. § 50-18-72, and there are numerous confidentiality statutes in federal and state law which may be applicable to an Open Records Request.

In accordance with O.C.G.A. § 50-18-71 (b), the Utopian Academy for the Arts governing board has designated Open Records Officer – Dr. Artesius Miller- to whom members of the public must submit Open Records Requests via email at [Artesius.Miller@utopianacademy.com](mailto:Artesius.Miller@utopianacademy.com)

Once you submit your request via to Dr. Miller email, you will receive a response to your request within three business days following the school network's receipt of your request during normal hours. If the records exist but are not immediately available for production, the Open Records Officer's response will include a description of the records and a time and cost estimate for their release.

Utopian Academy for the Arts Charter School Network is open Monday through Friday from 7:30AM to 4:00PM excluding state holidays and emergency closures.



## **Time and Cost**

Under Georgia law, Utopian Academy for the Arts may impose a reasonable charge for the search, redaction, and production or copying cost of records responsive to an Open Records Request. The time and cost will be calculated by using the hourly salary of the lowest paid employee qualified to conduct the research of an Open Records Request, with no charge for the first fifteen minutes of employee time expended.

In addition to charges for the search, redaction, and production of responsive records, Utopian Academy for the Arts will impose a fee for the copying of records or data at \$.10 cents per page or, in the case of other documents, the actual cost of producing the copy. For electronic records, Utopian will charge the actual cost of the media on which the records or data are produced. O.C.G.A. § 50-18-71 (c).

If the estimated cost for production of the records exceeds \$500.00, Utopian Academy for the Arts will insist on pre-payment before the Open Records Officer begins search, retrieval, review, or production of the records. The office may require pre-payment for a new request if the requestor has not paid for a prior Open Records Request. O.C.G.A. § 50-18-71 (d).