

Atlanta SMART Academy

Georgia Open Meetings and Open Records Compliance Policy

Legal Authority: O.C.G.A. § 50-14-1 et seq.; O.C.G.A. § 50-18-70 et seq.

I. Purpose

Atlanta SMART Academy ("ASA" or "School") and its Governing Board are committed to transparency, public accountability, and compliance with Georgia law.

It is the policy of Atlanta SMART Academy to comply fully with the Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., and the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq., including subsequent amendments to those laws.

This policy establishes procedures for public meetings of the Governing Board and its committees and for public access to records maintained by or on behalf of Atlanta SMART Academy.

II. Georgia Open Meetings Act

A. Meetings Open to the Public

Meetings of the Atlanta SMART Academy Governing Board and its committees that are subject to the Georgia Open Meetings Act shall be open and accessible to the public except when Georgia law expressly authorizes an executive session or other closed proceeding.

Official action and votes shall be conducted in accordance with the Georgia Open Meetings Act.

The Governing Board shall not use electronic communications, serial communications, informal gatherings, or other methods for the purpose of circumventing the requirements of the Georgia Open Meetings Act.

The Governing Board shall not vote on official business, policy, or public matters by email.

B. Regular Board Meetings

The Governing Board shall conduct regular meetings in accordance with its established meeting calendar and the requirements of the School's charter contract.

The Governing Board shall conduct **no fewer than ten (10) regular meetings during each state fiscal year**, consistent with the School's charter contract.

Meetings shall be conducted in a manner that promotes transparency, public accountability, and effective governance.

C. Public Notice

Atlanta SMART Academy shall provide public notice of Governing Board and committee meetings in accordance with the Georgia Open Meetings Act.

The School shall maintain and publish its regular meeting schedule and shall provide appropriate notice when meetings are added, changed, rescheduled, or canceled.

Meeting information shall be made available to the public through the School's website and other locations or methods required by law.

Information regarding Atlanta SMART Academy Board and committee meetings is available at:

Atlanta SMART Academy – Board & Committee Meetings

<https://atlantasmartacademy.org/board-and-committee-meetings/>

The meeting page provides the public with information regarding Board and committee meeting schedules, meeting access, upcoming agendas, and Board documents.

D. Meeting Agendas

Atlanta SMART Academy shall make meeting agendas available to the public in accordance with applicable requirements of the Georgia Open Meetings Act.

Agendas should identify the matters expected to come before the Governing Board or committee.

The Governing Board may address matters not appearing on a published agenda when permitted by law and when circumstances make consideration necessary.

E. Minutes

Minutes shall be prepared and maintained for meetings of the Governing Board and its committees as required by Georgia law.

Meeting minutes shall document, as applicable:

- Members present;
- Members absent;
- Matters considered;
- Motions made;
- Members making and seconding motions;
- Voting results; and
- Other information required by law.

Minutes shall be made available for public inspection and posted or otherwise made publicly accessible as required by law, subject to any lawful limitations applicable to executive-session records or other confidential information.

F. Executive Sessions

The Governing Board or an authorized committee may enter executive session only for purposes permitted under Georgia law.

Before entering executive session, the Governing Board or committee shall follow all procedural requirements established by the Georgia Open Meetings Act.

No executive session shall be used to circumvent the public's right to observe the deliberations and decisions of the Governing Board.

Minutes, affidavits, and other documentation associated with executive sessions shall be maintained as required by law.

G. Called and Special Meetings

Called, special, emergency, and other meetings shall be noticed and conducted in accordance with the Georgia Open Meetings Act.

In addition to requirements established by state law, if the Governing Board schedules a called meeting that is not regularly scheduled with **less than twenty-four (24) hours' notice**, Atlanta SMART Academy shall notify the Executive Director of the State Charter Schools Commission of Georgia or the Executive Director's designee by electronic mail or telephone immediately after scheduling the meeting, consistent with the School's charter contract.

III. Georgia Open Records Act

A. Public Access to Records

Atlanta SMART Academy shall comply with the **Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq.**

Public records maintained or received by Atlanta SMART Academy shall be available for inspection and copying except when a record, or a portion of a record, is specifically exempt from disclosure under federal or state law.

The School recognizes Georgia's strong public policy favoring open government and public access to government records.

B. Records Maintained by Third Parties

Public records do not lose their public character solely because they are maintained by a contractor, vendor, consultant, management organization, or other private person or entity performing a service or function for or on behalf of Atlanta SMART Academy.

Consistent with O.C.G.A. § 50-18-70(b)(2), Atlanta SMART Academy shall ensure that public records maintained or received by a private person or entity in performing a service or function for the School are available to the public to the same extent required if those records were maintained directly by the School.

Contracts and agreements entered into by Atlanta SMART Academy should contain appropriate provisions requiring cooperation with applicable Open Records Act obligations.

C. Open Records Officer

Atlanta SMART Academy shall designate an **Open Records Officer** responsible for receiving and coordinating responses to requests submitted under the Georgia Open Records Act.

The School shall publish the name or title, contact information, and procedures for submitting an Open Records Request on the Atlanta SMART Academy website.

Requests should be submitted to the designated Open Records Officer so that the School can promptly identify, process, and respond to requests.

D. Making an Open Records Request

Members of the public may request public records from Atlanta SMART Academy by submitting a request to the School's designated Open Records Officer.

Requests should describe the records sought with sufficient specificity to allow the School to identify responsive records.

Atlanta SMART Academy shall establish a dedicated webpage or clearly identified section of its website containing instructions for submitting an Open Records Request.

Open Records Request Information:

Members of the public may contact the Open Records Officer through the school's website:

Atlanta SMART Academy

2636 M.L.K. Jr. Dr. SW, Suite 14

Atlanta, GA 30311

Telephone: (470) 502-3110

School Contact Page:

<https://atlantasmartacademy.org/contact-us/>

E. Response to Open Records Requests

Atlanta SMART Academy shall respond to Open Records Act requests within the time and in the manner required by Georgia law.

When responsive records are available and subject to disclosure, the School will provide access to or copies of those records.

If responsive records cannot be produced within the statutory response period, the School will provide the information required by law regarding their availability.

If records or portions of records are withheld from disclosure, Atlanta SMART Academy will identify the applicable legal basis for withholding the information as required by law.

F. Fees

Atlanta SMART Academy may assess reasonable charges for searching, retrieving, reviewing, redacting, copying, and producing records to the extent permitted by the Georgia Open Records Act.

When applicable, the School will provide an estimate of anticipated costs before fulfilling a request when required or appropriate under Georgia law.

The School shall not impose fees for the purpose of discouraging public access to records.

G. Confidential and Exempt Records

Nothing in this policy requires Atlanta SMART Academy to disclose information that is confidential or exempt from public disclosure under applicable federal or state law.

The School shall review responsive records and appropriately redact or withhold protected information, including information protected by applicable student privacy, personnel, safety, attorney-client privilege, or other confidentiality requirements.

When only a portion of a record is exempt, the School shall provide access to the nonexempt portions when required by law.

IV. Website Transparency

To promote transparency and comply with the School's charter obligations, Atlanta SMART Academy shall make governance and public accountability information readily accessible through its website.

Information made publicly accessible shall include, as applicable:

- Governing Board membership;
- Governing Board meeting calendar;
- Upcoming meeting agendas;
- Minutes of prior Governing Board meetings, except where publication is limited by law;
- Governing Board policies;
- Approved budgets;
- Financial audits;
- Annual reports;
- Procedures for contacting the School Leader;
- Procedures for contacting the Governing Board;
- Meeting access information; and
- Instructions for submitting an Open Records Request.

Current Public Meeting Information

Board & Committee Meetings:

<https://atlantasmartacademy.org/board-and-committee-meetings/>

Board Information:

<https://atlantasmartacademy.org/board/>

Open Records Requests

Atlanta SMART Academy shall maintain a clearly identifiable **Open Records Request** link on its website that provides the designated Open Records Officer's contact information and instructions for submitting requests.

V. Records Management

Atlanta SMART Academy shall maintain public records in accordance with applicable federal and state laws, records-retention requirements, the School's charter contract, and adopted records-management procedures.

Employees, Governing Board members, contractors, and other persons maintaining records on behalf of Atlanta SMART Academy shall cooperate with the School's Open Records Officer in identifying, preserving, retrieving, and producing responsive public records.

Records shall not be destroyed, altered, concealed, or removed for the purpose of preventing disclosure under the Georgia Open Records Act.

VI. Training and Compliance

Atlanta SMART Academy shall provide appropriate training or guidance to Governing Board members and relevant employees regarding their responsibilities under the Georgia Open Meetings Act and Georgia Open Records Act.

The School Leader, Board Chair, Open Records Officer, and other designated personnel shall support implementation of this policy.

Questions concerning whether a meeting must be open, whether an executive session is authorized, whether a record is subject to disclosure, or whether an exemption applies should be referred to the appropriate School official and, when necessary, legal counsel.

VII. Annual Review

The Governing Board or its designee shall periodically review the School's Open Meetings and Open Records practices to ensure:

- Meeting notices and agendas are properly posted;
- Meeting minutes are maintained and made available as required;
- Board documents remain accessible to the public;
- Open Records Requests are appropriately tracked and answered;
- Required governance and transparency information remains accessible on the School's website; and
- School practices remain consistent with amendments to Georgia law and the School's charter contract.