



Right to Know Act

1. PURPOSE

This policy establishes the guidance and parameters for compliance with the PA Right-to-Know Law with respect to public records at Northern Pennsylvania Regional College (“NPRC” or the “College”).

2. SCOPE AND APPLICABILITY

This policy is applicable to all requests to the College under the PA Right-to-Know Act.

3. REFERENCES (Heading 2 formatting)

- 3.1 INDX-1310-01: Master Policy Index
- 3.2 CLDR-1310: Policy Review Schedule
- 3.3 INDX-1310-02: Document Naming Key
- 3.4 Right-to-Know Law, as amended, 65 P.S. §§ 67.101 et seq
- 3.5 Official RTKL Fee Schedule
- 3.6 FORM-1020-01: RTK Request Tracking
- 3.7 FORM-1020-02: Right-to-Know Request

4. DEFINITIONS

- 4.1 Open Records Officer (ORO) is the person or persons designated by the College to accept, review, and respond to requests for Records from third parties under the PA Right-to-Know Law.
- 4.2 Public Record is a record that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in the PA Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.
- 4.3 A Record is documentation of a College transaction or activity that is created, received or retained pursuant to law or in connection with a College transaction.
- 4.4 Business Day is a day of normal College operation.

5. POLICY

- 5.1 This policy shall be posted on the College's website and on a bulletin board at the College's Administration Center as required under the PA Right-to-Know Law.
- 5.2 The College will make records available to a requester as required by and in accordance with the law, and College policies and procedures.
- 5.3 The College President or designee shall designate in writing the Open Records Officer (ORO).
- 5.4 Requests under the PA Right-to-Know Law must be submitted using FORM-1020-02: Right-to-Know Request, located on the College website. Submissions may be made via regular mail, electronic mail, facsimile, or delivered in person, to:
- Open Records Officer
Northern Pennsylvania Regional College
300 Second Avenue, Suite 500
Warren, PA 16365
Fax: (814) 313-7320
Oro@rrcnpa.org
- 5.5 Requests delivered in person to anyone other than the ORO shall be delivered to the ORO one business day.
- 5.5.1 Requests received after business hours shall be deemed received on the following business day for the purpose of determining the five (5) business day period for a response.
- 5.6 The ORO must complete FORM-1020-01: RTK Request Tracking immediately upon receiving the written request.
- 5.7 Upon receipt of a request for Public Records, the College shall make a good faith effort to determine if the request constitutes a response, under the PA Right-to-Know Law.
- 5.7.1 A prompt response will be provided, not to exceed five (5) business days from receipt of the request by the ORO.
- 5.7.2 If the College fails to respond within five (5) business days, the request is deemed denied.
- 5.7.3 The College may inform the Requester, within the five (5) business day period, if the College requires more time to respond to the request, provided, however, that such extension shall not exceed thirty (30) calendar days unless the Requester agrees, in writing, to such extension.
- 5.8 If the response to a request is a denial, whether in whole or in part, the denial shall be issued in writing and shall include:
- 5.8.1 A description of the Record requested;

- 5.8.2 The specific reasons for the denial;
 - 5.8.3 The name, title, College address, College telephone number, and signature of the designated ORO on whose authority the denial is issued;
 - 5.8.4 The date of the response; and
 - 5.8.5 The procedure to appeal under the PA Right-to-Know Law.
- 5.9 If a request for access to a Record is denied or deemed denied, the Requester may file an appeal with the Pennsylvania Office of Open Records within fifteen (15) business days of the mailing date of the College's response or within fifteen (15) business days of a deemed denial. The appeal shall state the grounds upon which the Requester asserts that the Record is a Public Record and shall address any grounds stated by the College for delaying or denying the request.
- 5.10 If access to the Public Record requested is approved, the Public Record shall be available for access during the regular business hours of the College. A designated College employee shall cooperate fully with the Requester, while also taking reasonable measures to protect the College's Public Records from the possibility of theft, destruction and/or modification. The presence of a designated employee is required when Public Records are examined and inspected.
- 5.11 It is the College's policy to charge reasonable fees for duplication and similar services in accordance with the Official RTKL Fee Schedule.
- 5.11.1 If the estimated cost of fulfilling a Request submitted under this policy is expected to exceed Fifty and 00/100 Dollars (\$50.00), the College shall be entitled to require prepayment of such estimated fees prior to commencing steps to fulfill the Request.
- 5.12 The College must maintain an original, if delivered in person or faxed, and electronic copy of a request, including all documents and correspondence from initial request through any appeals.

6. RESPONSIBILITIES AND TIMELINES

- 6.1 The ORO shall be responsible for complying with the requirements set forth herein in receiving, evaluating, and responding to any Public Record Requests.
- 6.2 The President, or designee, is responsible for the administration and oversight of this policy.

7. REVIEW STATEMENT

Review of this policy will occur in alignment with CLDR-1310: Policy Review Schedule.

Revision Notes: Policy in Revision