

THADDEUS STEVENS COLLEGE OF TECHNOLOGY
RIGHT-TO-KNOW POLICY

Pursuant to Section 504 of the Pennsylvania Right to Know Law (“RTKL”), 65 P.S. §67.101, the Thaddeus Stevens College of Technology (the “College”) has adopted the following policies and procedures governing citizens access to the College’s public records:

Section 1. Open Records Officer

- The College hereby designates Ann Valuch, Executive Director, Strategy, Marketing & Communications, as the College’s Open Records Officer and, from time to time, may designate an Alternate Open Records Officer. The College will publicly post contact information for the Open Records Officer and Alternate Open Records Officer, if any, on its website.
- The Open Records Officer can be reached at Open Records Officer, Thaddeus Stevens College of Technology, 750 E. King Street, Lancaster, Pennsylvania 17602; phone # 717-299-7702; fax # 717-299-7710; email address: valuch@stevenscollege.edu

Section 2. General

- All documents deemed public records shall be available for inspection, retrieval and duplication in accordance with the RTKL and this Right-To-Know Policy. Inspection and retrieval of documents deemed public records may be obtained at the College by appointment only.
- All of the definitions set forth in the RTKL are incorporated into this policy by reference.
- The regular business hours of the College are Monday through Friday from 8 a.m. to 4:30 p.m. Business days exclude Saturday and Sunday and a weekday on which the College is closed for business.

Section 3. Requests

- Written Request: Requests for inspection, retrieval and duplication of the College’s public records must be submitted in writing to the College Open Records Officer on the *RTKL Uniform Request Form*. Request forms will be accepted when submitted in-person, via e-mail, and/or via facsimile.
- The request must identify on the request form and in reasonable detail the record or records sought and the form in which the records are being requested. The request must also include the name and address of the person to whom a response should be addressed.
- If a Requester chooses not to use the 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.

Section 4. Response

- The Open Records Officer shall review all written requests for access to public records. As soon as possible, but no later than five (5) business days after receiving a written request to access public records, the Open Records Officer shall respond to such requests in writing consistent with the RTKL.
- Responses to public records requests will be handled under the following guidelines:
 - a. Deemed Denial: If the Open Records Officer does not send a response to the request within five (5) business days of its receipt, the request shall be deemed denied.
 - b. Extension: If the Open Records Officer determines that more than five (5) days is required to evaluate and respond to the request, pursuant to Section 902 of the RTKL, then a notice shall be sent indicating that the request is being reviewed, the reason for the review, and a date by when a response will be provided. The extension date shall not exceed thirty (30) days from the date of the extension notice unless the Requester consents to an extension beyond the thirty (30) days.
 - c. Denial: If the Open Records Officer determines that the request should be denied, then a response shall be sent describing the record requested, explaining the reasons for the denial, and setting forth the procedure for appealing the denial.
 - d. Grant: If the Open Records Officer determines that the request should be granted, then a response shall be sent indicating when, during the College's regular business hours, the records may be inspected, or if duplication was requested, the fees that were assessed to cover the cost of duplication if any and, depending on delivery method, the cost of mailing if the requester elects not to pick up the records in person. If the estimated fees associated with the request exceed \$100, the College may require prepayment of the fees before granting the request.
 - e. Disruptive requests: The Open Records Officer may deny a requester access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the College.
 - f. Disaster or Potential Damage: The Open Records Officer may deny a requester access to records when:
 - (1) timely access is not possible due to fire, flood or other disaster; or
 - (2) historical, ancient or rare documents, records, archives and manuscripts when accessed may, in the professional judgment of the curator or Open Records Officer, cause physical damage or irreparable harm to the record. However, to the extent possible, the contents of a

record under this section shall be made accessible to a requester even when the record is physically unavailable.

- g. College Discretion: The College may exercise its discretion to make any otherwise exempt record accessible for inspection and copying, if disclosure of the record is not prohibited by law, regulation or court order, the record is not protected by a privilege, and the Open Records Officer determines that the public interest favors access.
- h. Trade Secrets and/or Confidential Proprietary Information: If a third party provided the record and included a written statement signed by a representative of the third party that the record contains a trade secret or confidential proprietary information:
- (1) The Open Records Officer will provide notice in writing to the third-party within five (5) business days.
 - (2) The third-party shall have five (5) business days from the date it receives notification from the College to provide input on the release of the record.
 - (3) Within ten (10) business days from the date the College provided notice to the third-party, the Open Records Officer shall either release the record or deny release of the record to the requester in accordance with the procedures provided in the RTKL for issuing a denial.
- i. Inspection and Duplication of Public Records: If a request for inspection of the College's public records is granted pursuant to this policy, the Open Records Officer will inform the requester of a time during the College's normal business hours for the inspection of the public records. If duplicates of the public records are requested, the duplicates shall be provided upon payment in accordance with this policy and related College fee schedule.

Section 5. Fees

- Standard Charges: The College will charge fees consistent with the RTKL Fee Structure available at <https://www.openrecords.pa.gov/RTKL/FeeStructure.cfm>. Common standard charges include:
 - Black and White paper copies: 25¢ per page, per side.
 - Color paper copies: 50¢ per page, per side.
 - Specialized documents including, but not limited to, blue prints and non-standard sized documents: actual cost of production.
 - CD/DVD: actual cost of production (up to \$3.00/disc)
 - Flash Drive/Other Media: actual cost of production.
 - Certified Records: \$5.00 per record set.
 - Mailing: the cost of USPS first-class postage.

- Pre-Payment of Charges:
 - Prior to granting a RTKL request, the College may require prepayment if the total fees are estimated to exceed \$100.00.

Section 6. Appeals

- Requirements of an Appeal: All appeals must be filed within 15 business days of the mailing date of the College's 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 the College for denying the request; and must include a copy of the request and the College's response, if any.
- Denial of Records Generally:
 - Appeals shall be filed with the Executive Director, Office of Open Records, Commonwealth Keystone Building, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234.
- Denial of Records Related to a Criminal Investigation:
 - Appeals shall be filed with the Lancaster County District Attorney's Right to Know Appeals Officer, Lancaster County District Attorney's Office, 50 North Duke Street, PO Box 83480, Lancaster, PA 17608-3480.