



Effective: June 3, 2004

**Administrative Policy
RIGHT-to-KNOW REQUESTS**

Approved: June 3, 2004
President's Executive Cabinet
Revised: July 1, 2005, President's Executive Cabinet
Revised: November 27, 2007, President's Cabinet
Revised: January 1, 2009, President's Cabinet
Revised: May 6, 2014, President's Cabinet

The following guidelines and procedures are provided for the submission of Right-To-Know requests. Millersville University will not respond to oral or anonymous requests for information.

Requests for Public Records from Millersville University of Pennsylvania under the Right-To-Know Law, as amended, 65 P.S. §§ 67.101, et. seq., are subject to the following guidelines. These guidelines can also be found at <http://www.millersville.edu/righttoknow.php>.

Requests

Requests for information under the Right-To-Know Law must be submitted in writing to the designated Agency Open Records Officer. A request may be delivered in person, by mail, by electronic mail or by facsimile. Verbal or oral requests will not be accepted.

Each request must ask the requester the reason for the request or the purpose of the records in order to help identify the records of actual relevance to the request. Millersville University cannot insist that such a statement be provided, nor can it accept such a statement as a reason for denying the request.

Right-To-Know Requests

Requests for information under the Right-To-Know Law must be submitted in writing to the designated Agency Open Records Officer.

Steven DiGuiseppe
Agency Open Records Officer
Millersville University of Pennsylvania
P.O. Box 1002
Millersville, PA 17551-0302
Phone: 717-871-7500
Fax: 717-871-7977
Email: agencyopenrecords@millersville.edu

Requests may be delivered in person to 205 N. George Street, Millersville, PA, or sent by regular mail to the address listed above. Requests also may be made by electronic mail, or by facsimile.

If a request is delivered to someone other than the Open Records Officer, it shall be forwarded to the Open Records Officer in a reasonable time. The five (5) business day period for a response to the request begins once the designated Open Records Officer receives

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- notation of that date on the first page of the request.
4. Inform the requester of receipt of the request.
 5. Make an electronic or paper copy of the request, including all documents submitted with it and the envelope (if any) in which it came.
 6. Create an official file for the retention of the original request.

For purposes of determining the five (5) business day period:

1. A business day shall be any Monday, Tuesday, Wednesday, Thursday, or Friday, except those days when the offices of the agency are closed for all or part of a day due to a state holiday, due to severe weather (such as a blizzard or ice storm); due to natural or other disaster; or due to the request or direction of local, state, or federal law enforcement agencies or officials.
2. Requests may be submitted during regular business hours, which are 8 a.m. to 4 p.m. Requests received after 4 p.m. will be deemed to have been received on the following business day.
3. For purposes of determining the end of the five (5) business day period, the day that a request is received (or deemed to be received) is not counted; the first day of the five (5) business day period is the agency's next business day.

Initial Review by the Right-to-Know Official

Upon receiving a Right-to-Know request, the Open Records Officer shall promptly review it. The purpose of this review is to determine the following:

1. Whether the request possesses an obvious defect that permits it to be rejected without further consideration. Such defects include the following:
 - a. The documents sought by the requester are not identified with sufficient particularity.
 - b. The identified records unquestionably fall outside the Act's definition of "public records."
 - c. The identified records unquestionably fall within one of the Act's statutory exemptions under 65 P.S. §67.708 to the definition of "public records."
 - d. The Open Records Officer has personal knowledge that the identified records do not exist.
 - e. The Open Records Officer has personal knowledge that the identified records are not in the possession or control of the agency.
 - f. Whether the request can be granted without further consideration.
For example, if the Open Records Officer knows that the requested documents exist and are public records and that they are immediately accessible, no further analysis is necessary.
 - g. Whether the request implicates a right protected by the Pennsylvania or United States Constitution, including but not limited to, the constitutional right of privacy. If the Open Records Officer concludes that the request implicates such a right, he shall consult with counsel regarding the balancing of the requester's interest in access to the records versus the constitutionally protected interests.
2. In conducting this initial review, the right-to-know official may contact (or attempt to

3. Any final written response that sets for a denial, whether in whole or in part, must contain the following:
 - a. The name, title, business address, business telephone number and signature of the public official or employee on whose authority the denial is issued.
 - b. The words "Mailing Date" followed by the date that is the mailing date of the response.
 - c. A statement of the procedure that the requester may follow in order to file an appeal contesting the denial.

4. Grounds for a denial. A written request for access to, or a copy of, a record may be denied if any of the following circumstances exists:
 - a. The requester has not identified any of the requested records with sufficient specificity.
 - b. The record does not exist.
 - c. The requester has not prepaid the costs of fulfilling the request, if the anticipated costs would exceed \$100.
 - d. The record in question does not satisfy the Act's general definition of "public record."
 - e. The record in question falls within one or more of the Act's statutory exceptions to the definition of "public record." 65 P.S. §67.708.
 - f. The request constitutes a disruptive request pursuant to 65 P.S. §67.506(a) or the request is not able to be granted due to disaster or potential damage pursuant to 65 P.S. §67.506(b).

Redaction

Redaction means the eradication of a portion of a document while

Records within 15 business days of the date the request is deemed denied.

Fees and Chargers

All duplication fees charged will be in accordance with the fee structure established by the Office of Open Records. For Millersville University's fees and charges, go to www.millersville.edu/righttoknow.php or contact the University's Agency Open Records Officer.

Contact Information:

Office of Open Records

Commonwealth Keystone Building
400 North Street, 4th Floor,
Harrisburg, PA 17120
Phone No.: 717-346-9903
Email: openrecords@state.pa.us
Website: openrecords.state.pa.us