

## **Right To Know Policy**

### **Purpose and Overview**

West Chester University affirms the right of any Pennsylvania citizen to access public records. This right of access:

- Is vital to the preservation and functioning of the democratic process
- Promotes public understanding, trust, and monitoring
- Supports informed judgments
- Advances the integrity and well-being of the University

In supporting public access to records, West Chester University balances two key considerations:

1. The public's fundamental right of access to information held by the University, including such records as the appropriation, expenditure, and investment of public money
2. Constitutionally protected interests or legal rights to privacy and confidentiality regarding personal and other data gathered by the University

West Chester University's Right to Know Policy is designed to do the following:

- Ensure and facilitate the public's right of access to information about the conduct and activities of University operations
- Make public records accessible, unless a sensitive-information determination or specific federal or state law exempts the records from public access
- Place on West Chester University the burden for establishing that requested records are not public or are otherwise exempt from access
- Provide guidelines to assist University officials and employees in responding to requests for access to public records
- Provide guidelines for requesting and accessing information and for requesting exceptions to the policy

### **Right to Know Officer and Exceptions Officer**

The West Chester University Vice President for Administrative and Fiscal Affairs is designated the University Right to Know Officer. The West Chester University Executive Deputy to the President is designated the University Right to Know Exceptions Officer.

The Right to Know Officer and the Exceptions Officer provide the guidelines, process, and assistance for implementing the University's Right to Know Policy. These two officers, or their designees, are the primary contacts for anyone requesting access to records and, if necessary, for Pennsylvania's State System of Higher Education Office of Chief Legal Counsel.

### **Scope of the Right to Know Policy**

This Right to Know Policy is not intended to modify, rescind, or supercede any public-record retention or disposition schedule established by law.

### **Definitions and Conditions**

"Public record" refers to any information that records a University transaction or activity or that is created, received, or retained by or on behalf of the University in connection with its duties and responsibilities or other legal requirements.

**“Access”** means that, upon written request and in accordance with this policy and applicable law, public records will be available for examination, inspection, and copying during normal business hours. The following conditions apply:

- Verbal, anonymous or electronic mail requests may be denied.
- Requests for recurring or perpetual access may be denied. Each written request shall be handled as a one-time occurrence. Requesters wanting access on subsequent dates must submit subsequent written requests on each date of subsequent requested access.
- Requesters do not need to supply the reason or intended use for the records.
- Access is available only within specified time limits.
- Records must be provided no later than 10 business days after the University receives the request. Delays are allowed only under limited circumstances (see Appendix C) and must be explained in writing to the requester.
- When access is denied, requestors may submit an exception (appeal) in writing to the University Exceptions Officer. The requester will be provided with instructions for filing the exception.
- When otherwise-public records include information that is exempt from access, the University will withhold the exempt information while disclosing the information that is open to access. When necessary in such cases, the University will seek the advice and guidance of legal counsel.
- The University will not deny access to public records in order to prevent objections or comments about University actions.
- The University is not required to create, compile, maintain, format, or organize public records in a manner other than that in which they already exist. In the case of electronically held records, however, the records may be duplicated on paper if they would not otherwise be accessible to the requester.
- The University is barred from destroying or otherwise disposing of records for which public access has been requested.
- Requests and appeals for public records external to West Chester University will be addressed as prescribed by the State System of Higher Education and applicable law.

### **Fees**

While no fee is charged for accessing and examining public records, fees may be charged to cover expenses for photocopying or certifying copies of public records.

### **Dissemination of the Right to Know Policy**

The following guidelines explain proper dissemination of the West Chester University Right to Know Policy:

- The policy will be posted in conspicuous locations on campus.
- The policy will be available on a University web-site.

### **Appendices**

Appendix A: The West Chester University Right to Know Policy—Guidelines for Pennsylvania Residents

Policy Approval: Madeleine Wing Adler, President  
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