

## RIGHT-TO-KNOW POLICY

- 1) All open records request are to be directed to the Borough's Open Records Officer or Assistant Open Records Officer.
- 2) All public records are available for inspection Monday through Friday 8:30 a.m. until 3:30 p.m. Some documents are also available on the Borough website at [www.clarionboro.org](http://www.clarionboro.org).
- 3) Attached as Exhibit A is the standard Right-to-Know Request Form which must be used for all open records requests.
- 4) Upon receipt of an open records request, it is to be date and time stamped. Note on the requests the date that a response is due. Thereafter, the Open Records Officer is to determine if this request is a repeat request for information that was previously denied. If yes, then the request must again be denied. If no, the Open Records Officer must then determine if the record exists. If it does not, then the request is denied. If the record does exist, the Open Records Officer must then determine:
  - a) Is the requestor a legal resident of the United States? If no, then denied. If yes,
  - b) Will the request require the retrieval of documents stored at a remote location? or
  - c) Will the request require review by the Solicitor? or
  - d) Is a timely response unable to be accomplished because of a bona fide or specified staffing shortage?

If the answer to any of the above-referenced questions is yes, then the requestor must be notified within five (5) business days that the Borough is extending the response period by up to thirty (30) days. If the answer to the above questions (b-d) is no, then the Open Records Officer must determine whether the requested information fits within an exception to disclosure. If the requested information does not fit within an exception to disclosure, then the information must be provided to the requestor within the five (5) business day period.

If the requested information fits within an exception, a response must be sent to the requestor within five (5) business days setting forth the relevant exceptions or case law supporting the denial.

If the requestor disagrees with the denial, he/she must file an appeal with the Open Records Officer within fifteen (15) business days.

Standard form letters for use in the situations described above are attached as follows:

- Exhibit B, Right-to-Know Response Form Denial
- Exhibit C, Right-to-Know Response Form Granted In Part Denied in Part
- Exhibit D, Right-to-Know Response Form Granted.

- 5) The Borough will charge \$0.25 per page for copies of specific documents requested. The media is exempt from paying photocopying fees.
- 6) If documents are mailed per request, all postage costs will be assessed. If a disc is requested, a disc will be provided by the Borough at a cost of \$5.00 per disc. A new disc is required for each request. True and Correct Certifications with the municipal seal are available for a \$5.00 fee. Faxes and scanned and electronic transmitted copies will not be provided.
- 7) Public records will be provided to the requestor in the medium requested if the public record exists in that medium.