

STATE COLLEGE BOROUGH WATER AUTHORITY

RIGHT-TO-KNOW LAW POLICY

Public records of the State College Borough Water Authority are made available to individuals in accordance with the Right-to-Know Law (Act 3 of 2008 (SB 1, PN 1763, signed February 14, 2008). All Right-to-Know Law requests must be in writing and signed by the individual making the request. The request should identify or describe the records sought with sufficient information to enable Authority personnel to ascertain which records are being requested.

The Authority, in accordance with the Right-to-Know Law, will respond within five (5) days to the written request for access to public records and make a good faith attempt to determine if the record requested is a public record. There are seven (7) exceptions to the five (5) day response time. The exceptions include requests for public records that:

- Redaction is required;
- Records are stored in a remote location;
- Bona fide and specified staffing limitations;
- Legal review is necessary to determine whether the record is accessible;
- Requester has not complied with agency policies;
- Requester refuses to pay applicable fees;
- The extent or nature of the request precludes a response within the specified time period.

If any of the above determinations apply, the open-records officer will send written notice within five (5) business days noting that the request is delayed, the reasons for delay, a reasonable date on which a response is expected and an estimate of the fees. A response anticipated longer than thirty (30) days will be deemed denied unless the requester agrees to the longer delay.

Oral requests and anonymous requests are not permitted and will not be honored. All requests must be in writing, the person making the request must identify him or herself by name and be a United States Citizen. Requests may be submitted to the Authority in person, by mail, by e-mail or facsimile. Requests for public records should be addressed to the open-records officer of the State College Borough Water Authority listed below:

State College Borough Water Authority Open Records Officer
Brian C. Heiser- Assistant Executive Director
1201 West Branch Road
State College, PA 16801-7697
Telephone: (814) 238-6766
Fax: (814) 238-2175
E-mail: brian@scbwa.org

The five (5) day review period will begin the day the request is received and date stamped. Facsimile transmissions received after 4:30PM will be deemed to be received and date stamped on the following business day.

STATE COLLEGE BOROUGH WATER AUTHORITY

RIGHT-TO-KNOW LAW POLICY (contd.)

Appeal Procedure

Upon denial of a written request, the requester may file an appeal with the Office of Open Records, or judicial, legislative or other appeals officer - attorney general or district attorney in the case of certain criminal investigative records - within fifteen (15) business days of the mailing date of the agency response or deemed denial. The appeal must state the grounds upon which the requester asserts that the record requested is a public record and must address the grounds stated by the Authority for delaying or denying the request. The Office of Open Records will assign an appeals officer.

Pennsylvania Office of Open Records: Right-to-Know Law Official
Pennsylvania Department of State
Room 307, North Office Building
Harrisburg, PA 17120
Fax: (717) 772-4175

Open Record Fees

Copies

0 - 10 copies	No Charge
11 photocopies or more	\$0.15 per one-sided copy

Labor

No Charge

Mailing

Material fitting into a standard envelope	No Charge
All others	Current postal rates

Normal business days and hours of operation of the State College Borough Water Authority are Monday thru Friday (except holidays) from 8:00AM to 4:30PM.

Special Note: It is understood that in the event of an interpretation dispute, the *Pennsylvania Right-to-Know* law supercedes the State College Borough Water Authority Right-to-Know Law Policy.



1201 West Branch Road
State College, PA 16801-7697

www.scbwa.org

Telephone: 814-238-6766
FAX: 814-238-2175

For Office Use Only
Date Request Received: _____
Date Response Due: _____

Request for Public Records

In accordance with the Pennsylvania Right-to-Know Law and the State College Borough Water Authority's (Authority) policies and procedures pertaining thereto, the following information is required to request any public records maintained by the Authority.

I. This request is to (circle one) access / procure copies of records. Note: a request to access records does not include a right to remove a record from the possession or control of the Authority.

II. Requester Information (All information must be legible.)

Name of Individual: _____

Address: _____

Telephone Number: _____

Signature: _____

III. Records Requested

All records requested must be identified and / or described in sufficient detail to enable the Authority to identify and retrieve them. (Note: Each record request must be specific to one record or category of records. Multiple records may be requested, but each request must be submitted on a separate form.)



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Response to Request for Public Records

I. **Response to Request:**

Date of Response: _____

Your request for the public record was received on: _____

In response to your request, we submit the following:

___ Your request has been accepted and is being processed.

Please remit \$_____ payable by check to: "SCBWA".

___ We have determined that your request requires an extension of time for the following reasons:

You should expect a response on or about _____.

Your request has been denied for the following reason(s):

II. **Signature:**

Brian C. Heiser, Assistant Executive Director
Open Records Officer
State College Borough Water Authority
1201 West Branch Road
State College, PA 16801
(814) 238-6766 Fax: (814) 238-2175

Date



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Open Records Information

Information regarding the State College Borough Water Authority's Open Record policies and procedures adopted in compliance with the *Pennsylvania Right-to-Know - 65 P.S. Sec. 67.101 et seq.*, is as follows:

- 1) Authority Open Records Officer: Brian C. Heiser
Assistant Executive Director
State College Borough Water Authority
1201 West Branch Road
State College, PA 16801
(814) 238-6766
Fax: (814) 238-2175

- 2) Pennsylvania Office of Open Records: Right-to-Know Law Official
Pennsylvania Department of State
Room 307, North Office Building
Harrisburg, PA 17120
Fax: (717) 772-4175

- 3) Open Records Request Forms: Available at the Authority Office, or
Online at www.scbwa.org

- 4) Board Policy and Regulations: Available at the Authority Office, or
Online at www.scbwa.org