

**COOLSPRING TOWNSHIP
PUBLIC RECORDS POLICY**

Coolspring Township will make its records available for inspection and duplication as required by Pennsylvania law, excluding those records exempted by law, in accordance with the following policy and procedures.

A. Open Records Officer

The Authority shall designate an official or employee to act as the Open Records Officer who shall be responsible for receiving and responding to record requests. Upon receipt of a request, the Open Records Officer shall:

1. Note the date of receipt on the request.
2. Compute the day on which the 5 business day period to respond to the request will expire and note that date on the request.
3. Maintain a copy of the request until it has been fulfilled or, if denied, for 30 days or until a final determination is issued on any appeal.
4. Maintain a copy of the response and any other communications with the requestor.

B. Request for Access

1. Requests for records must be in writing on the required form and directed to the Open Records Officer.
2. Requests must identify or describe the records sought with sufficient specificity to enable the Authority to ascertain which records are being requested.
3. Requests must identify the medium in which the record is requested.
4. Requests must include a name and address to which the Authority may address its response.

C. Response to Request

1. The Authority shall respond to requests within 5 business days of receipt of the request by the Open Records Officer.
2. If the Authority does not respond to a request within 5 business days of receipt of a written request, the request shall be deemed denied.
3. The Open Records Officer shall determine as to each written request:
 - a. Whether redaction of records is required;

- b. Whether access requires retrieval of records stored in a remote location;
 - c. Whether timely response is not possible due to staffing limitations;
 - d. Whether legal review is necessary to determine whether the record is accessible;
 - e. Whether the requestor has complied with the Authority's policies regarding access to records;
 - f. Whether the requestor refuses to pay applicable fees;
 - g. Whether the extent or nature of the request precludes a response within the required time period.
4. If one of the above factors applies, the Open Records Officer shall send written notice to the requestor within 5 business days of receipt of the request which includes:
 - a. Statement that the request is being reviewed;
 - b. The reason for the review;
 - c. A reasonable date that a response is expected to be provided;
 - d. Estimate of applicable fees.
 5. If the date a response is expected under section 4 above is greater than 30 days after the 5 business days allowed for the initial response, the request shall be deemed denied unless the requester agrees in writing to an extension to the date specified in the notice.
 6. If the requester agrees to an extension as provided in section 5 above, the request shall be deemed denied on the day following the date specified in the notice if no response is provided by that date.

D. Denial

1. A denial of a request, in whole, or in part, shall include:
 - a. A description of the record requested;
 - b. The specific reasons for the denial, including citation of supporting legal authority;
 - c. The typed or printed name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial is issued;
 - d. Date of the response;
 - e. The procedure for appeal.

E. Appeal of Denial

1. If a request is denied or deemed denied, the requester may file an appeal with the Office of Open Records within 15 business days of the mailing date of the Authority's response or within 15 business days of a deemed denial.
2. The appeal must state the grounds on which the requester asserts that the record is a public record and shall address any grounds stated by the Authority for delaying or denying the request.
3. The address for the Office of Open Records is:

Commonwealth of Pennsylvania
Office of Open Records
Commonwealth Keystone Building
400 North Street, Plaza Level
Harrisburg, PA 17120-0225
717-346-9903

F. Fees

1. Duplicates of public records shall be provided by the Authority upon payment of applicable fees by the requester.
2. A list of fees shall be posted and provided to each requester.
3. The Authority may require payment of estimated fees when the actual fees to fulfill a request are expected to exceed \$100.

G. Access

1. Records shall be provided in the medium requested, if available.
2. If the medium requested does not exist, then the record shall be provided in the medium in which it exists.

H. Notification to Third Parties

1. If the Authority produces a record that is not a public record in response to a request, the Open Records Officer shall notify any third party that provided the record to the Authority, the person that is the subject of the record, and the requestor.
2. The Open Records Officer shall notify a third party of a record request if the requested record contains a trade secret or confidential proprietary information.