

Standard No. 576-004

ACCESS TO PUBLIC RECORDS

576-004-0000

Policy

- (1) Any person may obtain public records, not otherwise exempt from disclosure from the University, consistent with this rule and the University's written procedure.
- (2) Written procedures describing how to make public records requests are available at the University website, the University's Office of the General Counsel, and the University's Valley Library.
- (3) Each request made under this rule must describe the public records requested with such reasonable and sufficient specificity as to allow the requested public records to be identified and located.
- (4) If a request does not comply with the requirement of reasonable and sufficient specificity as to allow the identification and location of the requested public records, such a request will be denied until this requirement is satisfied.

Hist.: OSU 5-1980, f. & ef. 12-3-80; OSU 3-1996, f. & cert. ef. 6-21-96; OSU 2-2008, f. 6-27-08, cert. ef. 7-1-08

576-004-0005

Authority to Deny

- (1) The University may deny a request for public records if the records are exempt from disclosure or if the conditions for requests are not met.
- (2) A written denial must be sent to the person making the public records request.

Hist.: OSU 5-1980, f. & ef. 12-3-80; OSU 3-1996, f. & cert. ef. 6-21-96; OSU 2-2008, f. 6-27-08, cert. ef. 7-1-08

576-004-0010

Petition

A person who has been denied information under rule 576-004-0005 may petition the Benton County District Attorney in accordance with Oregon Revised Statutes 192.450.

Hist.: OSU 5-1980, f. & ef. 12-3-80; OSU 3-1996, f. & cert. ef. 6-21-96

576-004-0015

Response

The University shall respond to written requests for public records as soon as practicable and without unreasonable delay. The University's response will acknowledge receipt of the public records request and include at least one of the following: A statement that the University does not possess, or is not the custodian of, the public record. Copies of all requested public records for which the University does not claim an exemption from disclosure, or a statement that all requested records are exempt from disclosure. A statement that the University is the custodian of at least some of the requested public records, an estimate of the time the public body requires before the public records may be inspected or copies of the records will be provided and an estimate of the fees that the requester must pay under section 576-004-0020. A statement that the University is the custodian of at least some of the requested public records and that an estimate of the time and fees for disclosure of the public records will be provided by the University within a reasonable time. A statement that the University is uncertain whether it possesses the public record and that the public body will search for the record and make an appropriate response as soon as practicable. A statement that state or federal law prohibits the University from acknowledging whether the record exists or that acknowledging whether the record exists would result in the loss of federal benefits or other sanctions, with a citation to the applicable state or federal law.

Hist.: OSU 5-1980, f. & ef. 12-3-80; OSU 3-1996, f. & cert. ef. 6-21-96; OSU 2-2008, f. 6-27-08, cert. ef. 7-1-08

576-004-0020

Fees

(1) The University and its departments may charge fees to reimburse its costs for the duplication, copies, and preparation of public records requested by a person under 576-004-0000 et. seq. The fees are set forth in the University list of fees and charges adopted by 576-010-0000.

(2) The University will not produce public records requested until fees associated with their production are paid.

(3) The University may produce public records without charge or at a substantially reduced fee if the University determines that the waiver or reduction of fees is in the public interest because making the information, materials, and documents available primarily benefits the general public. The person requesting the public records must request a waiver or reduction of fees and must explain why allowing the waiver or reduction is in the public interest.

Hist.: OSU 5-1980, f. & ef. 12-3-80; OSU 3-1996, f. & cert. ef. 6-21-96; OSU 2-2008, f. 6-27-08, cert. ef. 7-1-08