

# SPRING-BENNER-WALKER JOINT AUTHORITY

## RIGHT-TO-KNOW LAW POLICIES AND PROCEDURES

Public records of the Spring-Benner-Walker Joint Authority (Authority) are made available to persons and agencies in accordance with the Pennsylvania Right-to-Know Law (Act 3 of 2008; 65 P. S. § 67.101 *et seq.*) All Right-to-Know Law requests must be in writing and signed by the person or agency representative making the request. Oral requests and anonymous requests will not be accepted and will not be honored. All persons making a request must identify him or herself by name and be a United States Citizen. The request should identify or describe the records sought with sufficient information to enable Authority personnel to ascertain which records are being requested. Requests may be submitted to the Authority in person, by mail, by e-mail or by facsimile.

Requests for public records should be addressed to the open-records officer of the Authority listed below:

Spring-Benner-Walker Joint Authority, Open Records Officer  
Will L. Barton - Executive Director  
170 Irish Hollow Road  
Bellefonte, PA 16823  
Telephone: (814) 355-4778 Fax: (814) 355-1599  
E-mail: [wbarton@sbwja.com](mailto:wbarton@sbwja.com)

In accordance with the Right-to-Know Law, the Authority will respond to a request for public records within five (5) days of its receipt of the request and will make a good faith attempt to determine if the records requested are public records. There are seven (7) exceptions to the five (5) day period for a response. The exceptions include requests for public records when any of the following apply:

- 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 the Authority's policies and procedures;
- 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 exceptions apply, the Authority will send written notice to the requester within five (5) business days of the Authority's receipt of the request noting that the response is delayed, the reasons for delay, a reasonable date on which a response is expected and an estimate of the Authority's fees. If the date on which a response is expected to be provided is longer than thirty (30) days, the request will be deemed denied unless the requester agrees in writing to the delay.

The five (5) day period for providing a response will begin the day the request is received by the Authority and date stamped. Facsimile transmissions received after 4:00PM will be deemed to be received and date stamped on the following business day.

## **Appeal Procedure**

Upon denial or a deemed 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 Authority's response or deemed denial. The appeal must state the grounds upon which the requester asserts that the records requested are public records 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**

<b>Copies</b>	\$0.25 per one-sided copy
<b>Specialized documents</b> (e.g. blueprints, color copies, non-standard sized documents)	Actual cost
<b>Certification of a record</b>	\$5.00 per record
<b>Mailing</b>	Current postal rates Plus Cost of Materials

Normal business days and hours of operation of the Authority are Monday through Friday (except holidays) from 7:00 a.m. to 4:00 p.m.

**Special Note:** It is understood that in the event of an interpretation dispute, the *Pennsylvania Right-to-Know* law supercedes the Spring-Benner-Walker Joint Authority's Right-to-Know Law Policies and Procedures.

**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 Spring-Benner-Walker Joint 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.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **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: "Spring-Benner-Walker Joint Authority".

\_\_\_ 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:**

\_\_\_\_\_  
Will L. Barton, Executive Director  
Open Records Officer  
Spring Benner Walker Joint Authority  
170 Irish Hollow Road  
Bellefonte, PA 16823  
(814) 355-4778 Fax: (814) 355-1599

\_\_\_\_\_  
Date

## **Open Records Information**

Information regarding the Spring-Benner-Walker Joint Authority's Open Record policies and procedures adopted in compliance with the *Pennsylvania Right-to-Know (Act 3 of 2008; 65 P.S. Sec. 67.101 et seq.)* is as follows:

- 1) Authority Open Records Officer: Will L. Barton, Executive Director  
Spring-Benner-Walker Joint Authority  
170 Irish Hollow Road  
Bellefonte, PA 16823  
(814) 355-4778  
Fax: (814) 355-1599
  
- 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.sbwja.com](http://www.sbwja.com)
  
- 4) Board Policy and Regulations: Available at the Authority Office, or  
Online at [www.sbwja.com](http://www.sbwja.com)