



Warren

County Community College

REQUEST FOR PUBLIC RECORDS

Below are the procedures that Warren County Community College will use to respond to a request for public records under the guidelines of N.J.S.A 47:1A-1 et.seq.)

Under the Open Public Records Act (OPRA), New Jersey residents are eligible to review or receive copies of most government records subject to certain conditions.

Definition of a Government Record

A government record at WCCC means any paper, written or processed book, document, drawing, map, plan photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of official business by any officer of the College.

Not included as a Government Record

A government record at WCCC does not include:

- a) Any inter-College or intra-College advisory, consultative or deliberative material;
- b) Any memorandum, correspondence, notes, report or other communication prepared for the specific use of a member of the Legislature in the course of the member's public duty (unless it is required by law to be submitted to the Legislature or its members)
- c) Any campus crime victims' records, except that a victim of a crime shall have access to the victim's own records
- d) Trade secrets and proprietary commercial or financial information obtained from any source. Trade secrets shall include data processing software obtained by the College under a licensing agreement that prohibits disclosure.
- e) Any record within Attorney-Client privilege. This does not exempt from access attorney or consultant bills or invoices except that such documents may be redacted to remove any information protected by the Attorney-Client privilege.
- f) Administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize the College's computer security.
- g) Emergency or security information or procedures for the campus, which, if disclosed, would jeopardize security of the campus and/or members of the campus community.
- h) Security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons, property, electronic data or software.
- i) Information which, if disclosed, would give an advantage to competitors or bidders.
- j) Information generated by or on behalf of the College or College employee(s) in connection with:
 - Any sexual harassment complaint filed with the College
 - Any grievance filed by or against an individual
- k) Information that is communicated between the College and its insurance carrier(s), insurance agent or brokerage pool.

- l) Information that is to be kept confidential pursuant to a court order.
- m) Any portion of a document that discloses the social security number, credit card number, unlisted telephone number or driver's license of a member of the campus community. This does not preclude the release of this information to governmental agencies or entities acting on behalf of the campus community member (example, information given to a payment plan provider to complete the plan contract)
- n) Pedagogical, scholarly and/or academic research records and/or the specific details of any research project under the auspices of Warren County Community College. This includes, but is not limited to research, development information, testing procedures, or information regarding test participants.
- o) Test questions, scoring keys and other examination data pertaining to the administration of an examination for academic or employment reasons.
- p) Records of pursuit of charitable contributions or records containing the identity of a donor of a gift if the donor requires non-disclosure as a condition of the donation, providing that the donor has not received any benefits from the donation in connection with such a gift other than a request for a memorialization or a dedication.
- q) Valuable or rare collections of books and/or documents obtained by gift, grant, bequest or device conditioned upon limited public access.
- r) Information contained on individual admission applications.
- s) Information concerning student records or grievance or disciplinary proceedings against a student to the extent disclosure would reveal the identity of the student.
- t) Information that would violate any federal statute, such as the Family Education Request for Privacy Act (FERPA), which precludes access to student records except upon permission of the student.
- u) Information requested by an anonymous source.

Procedures

Persons wishing access to College records other than those excluded above must complete the Warren County College's Public Records Request Form and provide or send this form to the Custodian of Records (Assistant Dean of Campus Operations). This form is available on the College's website or at the College in the Campus Operations Office. Citizens may mail, e-mail or fax information in accordance with instructions on the form. The Custodian will date the receipt of such a request.

(Note that the Requester is responsible for ensuring that the request is addressed to the proper Custodian of Records. Delivery of this form to other college officials does not constitute delivery of an official request for information.)

The following actions may occur once the WCCC OPRA form is submitted:

1. **Information Immediately Available:** The Custodian will promptly reply to any request to inspect, examine, copy or provide a copy of the record. In general, immediate access shall normally be provided during official office hours (generally 9:00 a.m. to 5 p.m., Monday through Friday) for certain documents: current College budget, current invoices and vouchers, current contracts, including negotiated contract agreements, employees current base salaries and available overtime information.

2. **Normal Information Request Process:** The Custodian will have up to 7 days from the receipt of the request to produce all other records unless the record is not available within that time period. In that case, the Custodian must advise the Requester within 7 days of the receipt of the request as to the approximate time when the information is to be available.
3. **Information Temporarily Not Available:** The Custodian of Records will indicate if the information is temporarily not available (example: the record is in storage; record is in use) and make arrangements to obtain the record for the requestor as soon as practicable.
4. **Request Denied:** The Custodian of Records will determine whether the College is able to comply with the request. If the request is covered by an exemption, the information does not exist or the production of such information would substantially disrupt College activities, then the Custodian may deny such a request. In addition, the Custodian may deny requests to non-NJ citizens or to individuals convicted of an indictable offense.
5. **Non-Response:** In the case where the Custodian does not respond to the request within the 7 day time limit, the Requester should assume that the request has been denied.

Note: The 7 day time limit applies to times when the College is open for operations. The day limit does not apply to days when the College is closed for holidays or winter recess.

Appeal of Record Request Denial

If your request for access to public record(s) has been denied or unfilled within the time permitted by law, you have a right to challenge the decision by the Warren County Community College to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council (GRC). You may contact the GRC by telephone at 866.850.0511, by mail at P.O. Box 819, Trenton, NJ 08625-0819, by e-mail at grc@dca.state.nj.us, or at the GRC's web site is www.nj.gov/grc/.

Charges

Copying

In accordance with the Statute, the following charges will apply for the copying of records:

Pages 1-10	\$.75 per copy
Pages 11-20	\$.50 per copy
Pages 21+	\$.25 per copy

Extraordinary Services Charge

A reasonable "extraordinary services charge" may be added in cases where the College is asked to produce documents in other than regular copier format (example: odd size pages), requires extraordinary staff time or is requested in a medium other than paper copy. The College will assess an "extraordinary services charge" in cases where any programming or IT support is required for the

production of the material. The College will advise the Requester of any “extraordinary services charge” prior to proceeding with the request.

In addition, the College will require a 50% deposit for any estimated cost in excess of \$25.

Mailing Costs

Requesters directing that materials be mailed will be assessed the actual mailing costs for the record(s) in addition to other costs listed above.

Questions

Any questions on the College’s OPRA Procedures may be directed to the Assistant Dean of Campus Operations at (908) 835-2325.