

**CITY OF READING CHARTER BOARD
RIGHT-TO-KNOW LAW POLICY AND PROCEDURE**

I. PURPOSE

- A. The City of Reading Charter Board ("Charter Board") is established under the City of Reading Home Rule Charter as an independent local agency to serve City of Reading ("City") residents by hearing and deciding all complaints alleging violations of the City of Reading Charter and Administrative Code.
- B. The purpose of this policy is to assure compliance with the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 et seq., as amended, to provide access to public records of the Charter Board.

II. CHARTER BOARD OPEN RECORDS OFFICER

The Charter Board has designated Susan Gibson to serve as the Open Records Officer responsible for assuring compliance with the Right to Know Law.

III. IDENTIFICATION OF RECORDS

A record in the possession of the Charter Board will be presumed to be a public record to which a requester may have access unless (1) the record is exempt from access under the Right-to-Know Law; (2) the record is protected by a privilege; or (3) the record is exempt from disclosure under any other Federal or State law or regulation or judicial order or decree.

IV. PROCEDURE FOR REQUESTING PUBLIC RECORDS

- A. All requests for public records of the Charter Board shall describe the records sought with sufficient specificity to enable the Open Records Officer to ascertain which records are being requested.
- B. All requests for public records shall be submitted in writing and on either the standard form provided by the State Office of Open Records or the sample form attached hereto as Appendix A. The request must include the name and address to which the response is to be sent. No verbal or anonymous requests will be accepted. The Charter Board's preferred method of request is by email at the address set below. The Record requests may be submitted to the Open Records Officer as follows:

- 1. By email: charterboard@readingpa.org;
- 2. By US Mail:

City of Reading Charter Board
Attention: Open Records Officer
c/o Susan Gibson
P.O. Box 12149
Reading, PA 19612.

- 3. By personal delivery at a regularly scheduled and noticed Charter Board meeting.

4. The Charter Board does not have a facsimile number.
- C. Hereinafter, in all matters when the Open Records Officer is to give a written notice or response, that notice or response may be given by email or US Mail at the election of the Open Records Officer.

V. PROCEDURE FOR RESPONSES TO REQUESTS FOR PUBLIC RECORDS

- A. The Open Records Officer will make every effort to fulfill a request within five (5) business days of receipt by the Charter Board. If the request must be reviewed or otherwise cannot be fulfilled in five (5) business days, the Open Records Officer will send written notice, by email or US Mail, to the requester stating (1) the reason(s) why additional time is needed, (2) the expected response date, which will be within thirty (30) days of the notice, and (3) any fees that may be required.
- B. Grant of Request for Records. If the Open Records Officer determines that some or all of the requested records are available, the response will outline the manner in which the Charter Board is complying with the request. The alternatives available to the Open Records Officer include:
 1. A response which includes a copy of the requested record. The Charter Board may provide records on paper, electronically through email or by other means such as digital media;
 2. A response notifying the requester that the records are available through publicly-accessible electronic means such as the City's website, or another agency's website; and
 3. A response outlining information about how and when the requester can visit the City to view and copy the records. All documents deemed public records will be available for inspection, retrieval and duplication during City regular business hours except weekends and City holidays. Any duplication shall occur at a City facility and no records may be removed from any City offices except by City staff or the Open Records Officer.
- C. Denial of Request for Public Records. If the Open Records Officer determines that a request for records should be denied, in whole or in part, the denial will be issued in writing.

VI. FEES

- A. The Charter Board will follow as closely as possible the fee schedule for access to public records adopted by the City. All costs must be paid by check or money order payable to the "City of Reading".
- B. If the estimated cost of fulfilling a request is expected to exceed \$100.00, the Open Records Officer shall obtain payment of 50% of the expected cost in advance of fulfilling the request to avoid unwarranted expenses.
- C. The Charter Board may obtain the cost of the records prior to releasing the records.

- D. If a requester wishes to inspect rather than receive a copy of a record and the record contains both public and non-public information, the Charter Board will redact the non-public information and will charge for the redacted copies, in accordance with the above fee schedule. Should the requester choose to obtain copies of the redacted documents after reviewing the records, no additional fee may be charged.
- E. If a record is only maintained electronically or in other non-paper media, the duplication fee will be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the requester specifically requests for the record to be duplicated in the more expensive media.
- F. Additional fees may apply for specialized printing or copying. Prior to printing or copying any such record, the Charter Board will inform the requester of the projected costs.
- G. The Charter Board, in its sole discretion, may waive the fees for duplication of public records if the Charter Board determines that it is in the public interest to do so.

VII. APPEALS

- A. Except in the case of criminal investigative records, if any request is denied or deemed denied for any reason, the requester may file an appeal in writing with the Office of Open Records addressed to:

Executive Director, Office of Open Records
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

- B. If a request is for access to a criminal investigative record and is denied or deemed denied, the requester may file an appeal in writing addressed to the Appeals Officer with the Office of the District Attorney of Berks County.

APPENDIX A

(SAMPLE)

RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: _____

REQUEST SUBMITTED BY: _____ EMAIL _____ U.S. MAIL NA _____ FAX _____ IN PERSON

NAME OF REQUESTER: _____

STREET ADDRESS: _____

CITY/STATE/ZIP CODE/COUNTY: _____

TELEPHONE (Optional): _____

EMAIL (Optional): _____

RECORDS REQUESTED:

**Provide as much specific detail as possible so the agency can identify the information.*

DO YOU WANT COPIES: YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

BELOW FOR OFFICE USE ONLY

OPEN RECORDS OFFICER: _____

DATE RECEIVED BY THE AGENCY: _____