



## OPEN RECORDS / RIGHT-TO-KNOW LAW POLICY

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### I. AUTHORITY

Adopted pursuant to 65 P.S. § 67.504(a). Valencia Borough adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 and 65 P.S. § 67.504(b) with reference to Sunshine Act 65 Pa.C.S. § 701-716.

### II. SCOPE

This Open Records / Right-to-Know Law policy is adopted to comply with the Right to Know process designed to achieve government accountability and disclosure and will establish the process for request and distribution of applicable records maintained by Valencia Borough. This policy applies to Valencia Borough's handling of Right-to-Know requests.

### III. DEFINITIONS

Valencia Borough will be referenced as the Agency.

Parties submitting a request will be referenced as the Entity.

Open Records / Right-to-Know Law requests will be referenced as RTKL Requests.

The Pennsylvania Office of Open Records will be referenced as OOR.

The Right-to-Know Law will be referenced as RTKL.

The Agency Open Records Officer will be referenced as AORO

All documents referenced as 'made available' will be posted to the Agency's official website: <https://valenciaboro.org> unless otherwise specified.

All information can be found on the OOR website: <https://www.openrecords.pa.gov>

### IV. POLICY

a. The Agency agrees to follow applicable law regarding RTKL Requests and the Pennsylvania Records Retention Policy or Manual.

b. The Agency is responsible for identifying an Agency Open Records Officer to receive, respond to, and document all RTKL Requests. As such, the role of the Borough Secretary will also be the role of the AORO. How to contact the AORO:

Valencia Borough AORO: Shannon McCall

Email: [boro@valenciaboro.org](mailto:boro@valenciaboro.org)

Address: 61 Almira St. Valencia, PA 16059

Business days: Wednesday 10:00 AM to 12:00 PM

Phone: 724-524-7510

c. All RTKL Requests will be submitted utilizing the official Pennsylvania Office of Open Records Standard Right-to-Know Law Request Form (Appendix A) which will be made available. No request without proper use of the official request form will be accepted. The AORO will respond to non-valid requests by providing the official form and a request for its completion. The AORO may assist the Entity in completion of the RTKL Request if necessary for compliance.

d. The Agency will accept RTKL Requests by mail, email, or hand delivery during official business days or via a scheduled appointment (see IV b.)

e. All RTKL Requests received by Council members must immediately be remitted to the AORO.



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- f. The Agency has 5 business days from the day after the RTKL Request is officially received by the AORO. This timeframe does not apply when submitted to the Agency or received by anyone other than the AORO. Once received, the AORO will document the date of receipt on the RTKL Request form and maintains the right to invoke a 30-day extension. If the request is denied by the Agency, the Entity has 15 business days to appeal to the OOR directly via their website.
- g. As such, the Agency’s official business days are Wednesday from 10:00 AM to 12:00 PM and during official public Council meetings held the second Monday each month at 6:30 PM at the Valencia Borough Municipal Building at 61 Almira St. Valencia, PA 16059 pending no cancellation, weather emergency or Holiday.
- h. The Agency shall direct the Entity to public records when applicable.
- i. The Agency shall redact information based on exclusions and protections when applicable.
- j. The Agency shall charge the Entity maximum amounts per the OOR Official Fee Structure prior to distribution of the requested records if applicable. Failure to remit payment will result in withholding of the requested records until payment is received.
- k. No records will be created or reformatted for the purpose of a RTKL Request.
- l. No research will be conducted for the purpose of a RTKL Request.
- m. It is the responsibility of the Entity to review applicable and referenced laws and regulations prior to submitting an RTKL Request. The Agency may provide documentation to assist with explanation by directing the Entity to the OOR and related websites.

**By signing below, I acknowledge that I have read and understand and will comply with the Valencia Borough Open Records policy.**

Open Records Officer / Secretary: \_\_\_\_\_

Date signed: \_\_\_\_\_



V. Appendix A

**Pennsylvania Office of Open Records**  
**Standard Right-to-Know Law Request Form**



Pennsylvania  
Office of Open Records

**Standard Right-to-Know Law Request Form**

*Please read carefully. Complete this form and retain a copy of **both** pages; this copy may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied. More information about the RTKL is available at <https://www.openrecords.pa.gov>. In most cases, a completed RTKL request form is a public record.*

SUBMITTED TO AGENCY NAME: \_\_\_\_\_ (Attn: AORO)

Date Request Submitted: \_\_\_\_\_ Submitted via:  Email  U.S. Mail  Fax  In Person

**PERSON MAKING REQUEST:**

Full Name: \_\_\_\_\_

Company (if applicable): \_\_\_\_\_

Please send response via:  Email  U.S. Mail

*If you wish to obtain records that only exist in hard copy, or must be provided on an electronic storage device, you may be required to provide a mailing address to the agency. See Section 703.*

Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_

How do you prefer to be contacted if the agency has questions?  Telephone  Email  U.S. Mail

**By checking this box, I affirm that my full name and contact information is true and correct, and that I am a legal resident of the United States. I understand that failure to check this box may result in the denial of my request and the dismissal of any appeal filed with the Office of Open Records.**

**RECORDS REQUESTED:** *Provide as much detail as possible, including subject matter, time frame, and type of record sought. RTKL requests must seek records, not ask questions. Use additional pages if necessary.*

\_\_\_\_\_

**Form continues on page 2. Retain a copy of both pages.**



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RECORDS REQUESTED (continued):

[Empty light blue box for records requested]

**DO YOU WANT COPIES?**  Yes, printed  Yes, electronic  No, in-person inspection

*Records shall be provided in the medium requested if they exist in that medium; otherwise, they shall be provided in the medium in which they exist. See Section 701. Your request may require payment or prepayment of fees. View the [Official RTKL Fee Schedule](#) for more details.*

**I understand that my request may incur fees. Notify me before further processing if fees will be more than  \$100 (or)  \$\_\_\_\_\_.**

Do you want [certified copies](#)?  Yes (may be subject to additional costs)  No

**ITEMS BELOW THIS LINE FOR AGENCY USE ONLY**

Tracking: \_\_\_\_\_ Date Received: \_\_\_\_\_ Response Due (5 bus. days): \_\_\_\_\_

30-Day Ext.?  Yes  No (If Yes, Final Due Date: \_\_\_\_\_) Actual Response Date: \_\_\_\_\_

Request was:  Granted  Partially Granted & Denied  Denied Cost to Requester: \$\_\_\_\_\_

Appropriate third parties notified and given an opportunity to object to the release of requested records.

**Retain a copy of both pages of this Form.**