

Board Policy 6.13: REQUESTS FOR PUBLIC INFORMATION

Adopted 10/10/17

Inspection of public records shall be done during regular business hours at the office where the record is located, or another facility designated by the College. Original College records shall not be taken from College premises for the purposes of public record disclosure. The College will directly supervise the inspection or copying of College records, may list records inspected or copied by or at the request of a requestor, and may contemporaneously copy for the College's own purposes records inspected or copied by or at the request of the requestor. The College may provide a copy of a record in lieu of the original to protect the original record. The College may provide a redacted copy in lieu of an original record in order to delete exempt material.

The College may charge a reasonable amount, including administrative and legal fees, to cover the cost to produce a copy of public records.

W.S. 16-4-201. Definitions:

"Official custodian" means an officer or employee of EWC, who is responsible for the maintenance, care and keeping of public records, regardless of whether the records are in his actual personal custody and control;

"Public records" when not otherwise specified includes any information in a physical form created, accepted, or obtained by EWC in furtherance of its official function and transaction of public business which is not privileged or confidential by law. Without limiting the foregoing, the term "public records" includes any written communication or other information, whether in paper, electronic, or other physical form, received by EWC in furtherance of the transaction of public business of EWC, whether at a meeting or outside a meeting. Electronic communications solely between students attending a school in Wyoming and electronic communications solely between students attending a school in Wyoming and a sender or recipient using a non-school user address are not a public record of that school. As used in this paragraph, a "school in Wyoming" means the University of Wyoming, any community college and any public school within a school district in the state;

Public records shall be classified as follows:

- (A) "Official public records" includes all original vouchers, receipts and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which EWC is a party; all fidelity, surety and performance bonds; all claims filed against EWC thereof a governmental entity; records or documents required by law to be filed with or kept by EWC; and all other documents or records determined by the records committee to be official public records;
- (B) "Office files and memoranda" includes all records, correspondence, exhibits, books, booklets, drawings, maps, blank forms, or documents not defined and classified in subparagraph (A) of this subsection as official public records; all duplicate copies of official public records filed with EWC; all documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with the office; and all other documents or records, determined by the records committee to be office files and memoranda. (ix)
 - a. "Application" means a written request for a public record. However, a custodian designated public records person may in his discretion deem a verbal request to be an application;

- b. "Designated public records person" means the person designated as required by W.S. 16-4-202(e) or that person's designee;
- c. "Governmental entity" means the state of Wyoming, an agency, political subdivision or state institution of Wyoming.
- d. This act shall be known and may be cited as the "Public Records Act."

PROCEDURE FOR REQUESTING PUBLIC RECORDS

Requests shall be submitted to the Vice President for Administrative Services who serves as the official custodian of the records. There are two types of public records requests:

1. Informal Requests

The first type of public records request is one that is verbally submitted by the requesting party for records that are incidental, readily accessible, or reproducible at negligible cost, and are typically available for general public distribution at no cost.

2. Written Requests

All other public records requests must be submitted in writing and will be granted or denied in accordance with Wyoming Public Records Act, Title 16, Chapter 4, Article 202, as amended. Each request must describe the records being sought with sufficient specificity to permit a College staff person who is familiar with the subject matter to locate the record in a reasonable period of time.

- a. Parties requesting a copy of a public record shall pay a flat fee of twenty-five dollars (\$25) as a deposit at the time of submitting their public records request to the College. Any overpayments to the College by the requesting party will be promptly refunded after the nonexempt public records are disclosed to the requesting party. Mail a letter of request and deposit to:

Eastern Wyoming College
Vice President for Administrative Services
3200 West C Street
Torrington, WY 82240.

- b. The College requires that the requesting party make payment to the College for the balance of the reasonable costs over and above the twenty-five dollar (\$25) deposit prior to the release of copies of the public records (i.e., public records will be made available to the requesting party only upon payment in full to the College prior to release/disclosure of the records). These reasonable costs shall include, but are not limited to: actual personnel costs; reproduction costs; delivery expenses; and attorney's fees, if any, for reviewing, redacting or segregating the public records into exempt and nonexempt records.
- c. The College shall provide the requesting party with an estimate, in writing, if the cost of the public records request is expected to exceed twenty-five dollars (\$25). After receiving the estimate, the requesting party shall notify the College whether it wants the College to proceed with making the public records available.
- d. The requesting party shall be charged at the rate(s) established below, unless the records request qualifies for a fee reduction or waiver:

1. If the public records request requires a nominal amount of staff time (less than thirty minutes, which includes searching, locating, retrieving, copying, delivering and re-filing the documents), copies shall be made at no charge, unless the number of copies requested exceeds five pages.
 2. Copying charges shall be at the rate of twenty cents (\$0.20) per page for black and white copies and eighty cents (\$0.80) per page for color copies.
 3. Records that require more than a nominal amount of staff time (thirty minutes or more) will be provided to the requesting party for the actual cost of staff time, plus copying/delivery charges and attorney's fees. Copying charges shall be at the rate of twenty cents (\$0.20) per page for black and white copies and eighty cents (\$0.80) per page for color copies.
 4. Personnel costs shall be computed on the basis of quarter hours, rounded up, for time expended by College staff and/or the College attorney.
- e. In most cases, The College will respond to the request for public records within seven (7) working days of acknowledged receipt of the request. **EWC follows the guidelines established by legislative action (2019) regarding Wyoming Public Records Act.**