ADMINISTRATION AND FINANCE MEMO: 04-06   September 22, 2004

TO:       Budget Unit Managers

FROM:     Richard Hale, Vice President for Administration & Finance

RE:       N. J. OPEN PUBLIC RECORDS ACT (OPRA)

I. Purpose

This memorandum is to advise you of the procedures developed by the College to implement “The Public Access to Government Records Act,” N.J.S.A. 47:1A-1 et seq., also referred to as the Open Public Records Act (OPRA). The New Jersey Legislature has adopted OPRA to make public records more open to the public and copies of such records easier to obtain. Accordingly, the College developed a process to comply with this amended act effective July 8, 2002. This memorandum replaces the procedures set forth in Administration and Finance Memo #02-13 dated July 8, 2002.

II. OPRA Requirements

OPRA makes clear that government records shall be readily accessible for inspection, copying or examination by citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access shall be construed in favor of the public’s right of access.

At the same time, a public agency has an obligation to safeguard from public access a citizen’s personal information with which it has been entrusted when disclosure thereof would violate the citizen’s reasonable expectation of privacy.

Under OPRA, a “government record” is defined to mean,

“Any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed documents, 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 his or its official business by any officer, commission, agency or authority of the State or any political subdivision thereof, including subordinate boards thereof, or that has been received in the course of his or its official business by any officer, commission, agency, or authority of the State or any political subdivision thereof, including subordinate boards thereof. The terms do not include inter-agency or intra-agency advisory, consultative, or deliberative material.”
III. Guidelines

Attached you will find a copy of a two-sided document containing a Public Records Request Form and a Notice to Requestors of College Records. The Notice describes the requirements for members of the public to obtain documents and information about the College. Please make this information available in your respective offices. A copy of the Notice should also be posted in your offices in the locations where postings are normally made. A website containing the Notice has been established at http://www2.stockton.edu/opra/.

Employees should know that all requests for records and other information covered under OPRA must be directed to the Office of Administration and Finance in J208. I have been designated as the College’s Custodian of Records. I will work through certain divisional Coordinators to make copies of records in response to records requests.

The Coordinators are:

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<tr>
<th>Division</th>
<th>Name</th>
<th>Ext.</th>
<th>Phone</th>
</tr>
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<tbody>
<tr>
<td>President’s Office</td>
<td>Brian Jackson</td>
<td>K203</td>
<td>4521</td>
</tr>
<tr>
<td>Academic Affairs</td>
<td>Debra Dagavarian</td>
<td>K201</td>
<td>4514</td>
</tr>
<tr>
<td>Administration and Finance</td>
<td>Chuck Klein</td>
<td>J208</td>
<td>4726</td>
</tr>
<tr>
<td></td>
<td>Natalie Havran</td>
<td>J112</td>
<td>4384</td>
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<td></td>
<td>Glenn Miller</td>
<td>Bldg. 71</td>
<td>4378</td>
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<td>James McCarthy</td>
<td>D127</td>
<td>4335</td>
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<td></td>
<td>William Ford</td>
<td>Bldg. 70</td>
<td>4221</td>
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<tr>
<td>Student Affairs</td>
<td>Dee McNeely-Green</td>
<td>D116</td>
<td>4646</td>
</tr>
<tr>
<td></td>
<td>Joseph LoSasso</td>
<td>D121</td>
<td>4235</td>
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Also attached is a copy of “Procedures for Handling OPRA Requests” for your information and the Coordinators’ information only. A training session regarding the implementation of the College’s OPRA program will be scheduled in the near future.

If you have any questions, please do not hesitate to contact my office or one of the divisional coordinators.

Attachments

c: Herman J. Saatkamp, Jr., President
Procedures for Handling Open Public Records Act (OPRA) Requests

Recommended Process

1. All requests for College records or other information must be referred to the College Records Custodian in the Office of Administration and Finance in J208. All College offices should have the OPRA Notice and Request Forms available and may provide records requestors with a copy of the form for them to fill out, but you should direct all requestors to the Records Custodian in J208. Individual offices are not to accept Request Forms under any circumstance.

2. The Custodian of Records, upon receipt of a completed Request Form, will:
   a. Inform the President of the College of the Request and provide him or her with a copy of the Request Form.
   b. Review the request, in consultation with the appropriate divisional coordinator(s), to ensure the necessary Request Form information is provided to the Custodian; and,
   c. In consultation with appropriate legal counsel, determine if the requested information is accessible through OPRA.
   d. As determined by the President of the College, the Custodian of Records will respond to the request in a manner that is appropriate under OPRA.

   *If the request cannot be satisfied on the same day as the request is filed, the above steps 2a and 2b should be taken within the first 3 business days of the date the request was filed.*

3. If the requested information can be provided within seven (7) business days, the Custodian of Records will notify the requestor when and where the records or information will be made available. Also, the requestor will be informed of the estimated cost of any copying or electronic duplication required to pay for the requested materials.

   *Generally, this step should occur within 5 business days of the date the request was filed.*

4. If the requested information is not accessible through the College pursuant to OPRA, or if all or parts of the requested information cannot be provided to the requestor within seven business days, the Custodian of Records will provide the necessary notice in writing to the requestor indicating the status of the request and costs involved.

   *Under OPRA, this step must occur within 7 business days of the date the request was filed.*