

## **Township of Scott Open Records Officer**

Denise H. Fitzgerald, Township Manager

### **Township of Scott Open Records Officer Contact Information:**

Denise H. Fitzgerald  
Scott Township Offices  
301 Lindsay Road  
Scott Township, PA 15106  
(412) 276-5300 main line  
(412) 276-0953 fax number  
[scottwp@scotttownship.com](mailto:scottwp@scotttownship.com)

### **Contact Information for the Commonwealth's Office of Open Records:**

Available: <http://openrecords.state.pa.us/portal/server.pt>

### **Right to Know Law:**

Available: [https://www.dced.state.pa.us/public/oor/pa\\_righttoknowlaw.pdf](https://www.dced.state.pa.us/public/oor/pa_righttoknowlaw.pdf)

### **Requests:**

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Open Records Officer. Written requests may be submitted to the Township in person, by mail, to a designated facsimile machine, or to a designated e-mail address.

Each request must include the following information:

1. Identification or description of the requested record, in sufficient detail.
2. Medium in which the record is requested.
3. Name and address of the individual to receive the District's response.

The Township shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law. The Township shall not limit the number of records requested.

Form: See the form attached at the end of the Policy or see <https://www.dced.state.pa.us/public/oor/Form-UniformRequest.pdf>. The Township shall accept this uniform form developed by the Office of Open Records in addition to the Township form. The Township's RTKL Policy is available in its entirety as follows.



## **Scott Township Policy and Procedures for Accessing Public Records**

The purpose of this policy is to assure compliance with the Pennsylvania Right-to-Know Law, 65 P.S. § 66.1 et seq., as amended, to provide access to public records of Scott Township to preserve the integrity of Township records, and to minimize the financial impact to the residents of the Township regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.

It is the policy of Scott Township to require the presence of a designated employee when public records are examined and inspected and to charge reasonable fees for duplication of public records of Scott Township. The Township will designate an employee to be responsible for assuring compliance with the Pennsylvania Right-to-Know Law, in accordance with the following guidelines:

1. The manager may designate certain employee(s) to process public record requests.
2. The Township is responsible for minimizing, where possible, the financial impact to the residents regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.
3. All requests for public records of the Township under this policy shall be specific in identifying and describing each public record requested. In no case shall the Township be required to create a public record which does not exist or to compile, maintain, format or organize a public record in a manner in which the Township does not currently compile, maintain, format or organize the public record. All requests for public records shall be submitted in writing and on a form provided by the Township, as attached hereto entitled .
4. The manager will make a good faith effort to determine whether each record requested is a public record and if necessary utilize the Township solicitor for his/her legal opinion.
5. The Township shall facilitate a reasonable response to a request for Township public records. In no case is the Township expected to provide extraordinary staff to respond to the request, but will respond in a manner consistent with administrative responsibilities and consistent with the requirements of the Pennsylvania Right-to-Know Law.
6. The designated employee shall respond to the requester within five (5) business days from the date of receipt of the written request. If the requester does not respond within five (5) business days of receipt thereof, the request is deemed denied.
7. The response provided by the Township shall consist of the following: approval for access to the public record; review of the request by the designated employee; or denial of access to the-record requested.
8. If access to the public record requested is approved, the public record shall be available for access during the regular business hours of the Township. The designated employee shall cooperate fully with the requester, while also taking reasonable measures to protect the

public records from the possibility of theft and/or modification. The presence of a designated employee is required when public records are examined and inspected.

9. Fees for duplication of public records shall be as follows:

- (a) Photocopying: one dollar (\$1.00) per page.
- (b) Duplication of public electronic and/or tape records: actual cost to the Township of duplicating the public record.
- (c) Certified copies: three dollars \$3.00 per page.
- (d) Postage: actual cost to the Township of mailing the public record. The Township may in its discretion waive fees.

10. In the event the estimated cost of fulfilling a request submitted under this policy is expected to exceed \$100.00, the designated employee(s) shall obtain fifty percent (50%) of the expected cost in advance of fulfilling the request to avoid unwarranted expense of Township resources.

11. If the request is being reviewed, the notice provided by the Township shall be in writing and include the reason for the review and the expected response date, which shall be within thirty (30) days of the notice of review. If the Township does not respond within thirty (30) days thereof, the request is deemed denied. Review of the request is limited to situations where:

- (a) The record requested contains information which is subject to access, as well as information which is not subject to access that must be redacted prior to a grant of access. The redacted information is considered a denial as to that information;
- (b) The record requires retrieval from a remote location;
- (c) A timely response cannot be accomplished due to staffing limitations;
- (d) A legal review is necessary to determine whether the record requested is a public record;
- (e) The requester has failed to comply with the Township's policy and procedure requirements; or
- (f) The requester refuses to pay the applicable fees.

12. If access to the record requested is denied, the notice provided by the Township shall be in writing as indicated on the form attached hereto entitled "Denial of Request to Review and/or Duplicate Township Records."

13. If the request is denied or deemed denied, the requester may file exceptions with the Township within fifteen (15) business days of the mailing date of the Township's notice of denial, or within fifteen (15) days of a deemed denial. The exceptions must:

- (a) Indicate the date of the original request;
- (b) Identify and describe the record(s) requested;
- (c) State the grounds upon which the requester asserts the record(s) is a public record;  
and
- (d) Address any grounds stated by the Township in its notice of denial.

14. The Township shall review the exceptions and may conduct a hearing to assist in making a final determination. A final determination will be made within thirty (30) days of the mailing date of the exceptions, unless extended by the parties. If the denial is upheld, the decision shall contain a written explanation of the reason for denial and an explanation of the process for further appeal.

15. This policy shall be posted conspicuously at the Township Administrative Offices.

16. This policy shall take effect on \_\_\_\_\_, 2003.



**PUBLIC RECORD REVIEW/DUPLICATION REQUEST**

**Please print legibly.**

Date of Request: \_\_\_\_\_

Requester's Name: \_\_\_\_\_

Requester's Address: \_\_\_\_\_

\_\_\_\_\_

Requester's Telephone: \_\_\_\_\_

I request  review  duplication (check applicable boxes) of the following records.

**Important:** You must identify or describe the records with sufficient specificity to enable the Township to determine which records are being requested. Use additional sheets if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Requester

This request may be submitted in person, by mail, electronically or by facsimile to:

Scott Township Open Records Officer  
Denise H. Fitzgerald, ORO  
301 Lindsay Road, 2<sup>nd</sup> Floor  
Scott Township, PA 15106  
Phone: (412) 276-5300  
Fax: (412) 276-8970  
Email: dfitzgerald@scotttownship.com

To be completed by: \_\_\_\_\_

Request No.: \_\_\_\_\_

Date Received: \_\_\_\_\_

Action Taken:

Approved                      Date of Approval: \_\_\_\_\_

Denied                              Date Notice Mailed: \_\_\_\_\_

Additional Review              Date Notice Mailed: \_\_\_\_\_