

Policy on Access to Public Records (OPRA Compliance)

1. POLICY

This policy ensures County College of Morris (“College”) complies with the New Jersey Open Public Records Act (OPRA, N.J.S.A. 47:1A-1 et seq.) by making government records, as defined in N.J.S.A.1A-1.1, available for inspection, photocopying, or review, unless specifically exempt by law.

1. All OPRA Requests must be submitted to the Records Custodian using the Open Public Records Act Request Form (“Form”) located on the College’s website and/or via the e-mail address listed for the College’s Records Custodian.
2. The Custodian is responsible for reviewing requests, determining access and safeguarding confidential or exempt information.
3. Employees who receive requests must forward the request to the Records Custodian.
4. The College will provide records in a timely manner, following OPRA requirements and fee schedules.

2. PURPOSE

The purpose of this policy is to:

1. Ensure transparency and accountability in the operations of the College.
2. Provide the public with lawful access to government records.
3. Protect the privacy security, and proprietary rights of individuals and the College.
4. Establish clear procedures for requesting, reviewing, and releasing records in compliance with OPRA

3. SCOPE

Any individual may file an OPRA request. Requestors may file OPRA requests anonymously without providing any personal contact information, even though space for that information appears on the form. However, OPRA specifically prohibits anonymous requests for victims’ records. N.J.S.A. 47:1a-2.2. If a permissible anonymous request involves making copies and the estimated cost exceeds \$5.00, the custodian may request a deposit.

Generally stated, a “government record” means any record that has been made, maintained, or kept on file in the course of official business, or that has been received in the course of official business. Under OPRA, a “government record” includes printed records, tape recordings, microfilm, electronically stored records (including e-mails and data sets stored in a database), books, maps, photographs, etc.

All government records are subject to public access unless they are specifically exempt under OPRA or any other law. There are 24 specific exemptions contained in OPRA.

4. RESPONSIBILITY

1. Custodian may grant or deny access
 - a. The Custodian may seek the advice of legal counsel for the College.
 - b. If the Custodian determines part of a record is exempt from public access, the Custodian shall delete, remove, or redact , from a copy of the record, the portion which has been determined to be exempt.
 - c. Custodian will maintain a log of all requests.

5. EXEMPT RECORDS

Nothing in this policy is intended to require physical transfer or relocation of College documents that are excluded from the definition of government records and not the subject of a specific production request made under the Act (“Exempt Records”). The College Records Custodian shall retain the authority to determine the manner for collection, custody, maintenance, storage and release of Exempt Records generated or received by the College so that the same are readily available for appropriate College use and updating. Requests for access to the following categories of Exempt Records shall be referred to the College administrator indicated **by the College’s Records Custodian:**

1. Student Records referred to the Assistant Vice President of Student Affairs.
2. Personnel Files and Unions/Collective Bargaining referred to the Vice President of Human Resources and Labor Relations.
3. Requests from federal, state, county, or local governmental officials or agencies shall be referred to the College administrator responsible for legal compliance with matters within the jurisdiction of the requesting governmental authority.
4. Government Agency, Consultant Requests, Insurance and Risk Management requests referred to the College administrator. who has custody or knowledge of the information requested by insurance underwriters or risk management consultants.
5. Vendor/Purchasing Information referred to the Director of Purchasing.

6. RIGHT OF APPEAL

A person who is denied access to a government record by the custodian of the record at the option of the requestor may institute a proceeding to challenge the custodian’s decision by:

1. Filing a complaint with the Government Records Council, PO Box 800, Trenton, NJ 08625-0800 or
2. By filing an action in the Superior Court, Morris County Courthouse, Morristown, New Jersey.