

# **EAST COCALICO TOWNSHIP AUTHORITY**

## **RIGHT-TO-KNOW POLICY**

### **I. Authority**

The East Cocalico Township Authority (“Authority”) adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 (“RTKL”).

### **II. Definitions**

All of the definitions set forth in the RTKL are incorporated into this policy by reference.

*Business day.* The regular business hours of the Authority are Monday through Friday from 8:00 a.m. to 4:30 p.m. Business days exclude Saturday and Sunday and a weekday where the Authority is closed for business.

### **III. Submitting a RTKL Request to the Authority**

*A. Open Records Officer.* The Authority has designated an Open Records Officer to respond to RTKL requests.

The contact information for the Authority’s Open Records Officer is:

Jodie Eberly, Office Manager  
East Cocalico Township Authority  
102 Hill Road  
Denver, PA 17517  
phone: (717) 336-1731  
fax: (717) 336-1735  
[water@ecocalicotwpauth.com](mailto:water@ecocalicotwpauth.com)

The Authority’s Open Records Officer’s contact information is posted on the Authority’s website at: <http://www.eastcocalicotownshipauthority.com>

*B. Request.* Requests should be submitted in writing using the Authority’s Standard Right-to-Know Request Form available on the Authority’s website and be addressed to the Authority’s Open Records Officer. If a requester chooses not to use the Authority’s request form, then the request will be considered an informal request, not subject to the RTKL. To allow the Authority to locate requested records and determine whether those records are public, requests for records should be specific and concise and

clearly identify as precisely as possible the records sought. Requesters should retain a copy of the request for their file as a copy of the request is necessary should a requester appeal the Authority's response.

*C. Receipt of the request.* The Authority receives the request on the business day the Authority's Open Records Officer receives the request. Any request that is received by the Authority after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by an Authority employee other than the Authority's Open Records Officer, the request will be forwarded to the Authority's Open Records Officer as soon as practical.

*D. Verbal and anonymous requests.* The Authority will not respond to verbal and anonymous requests for records. Requesters submitting verbal and anonymous requests for records may not pursue the remedies available to a requester under the RTKL.

*E. Response period generally.* The Authority has 5 business days to respond to a request for records under the RTKL. If the Authority does not respond, the request is considered "deemed denied" and a requester's appeal rights commence.

#### **IV. Agency Response**

*A. Interim response.* The Authority is permitted to take an additional 30 days to respond to any request for the reasons set forth in Section 902 of the RTKL, 65 P.S. §67.902. If the Authority invokes an extension, the Authority will inform the requester in writing.

*B. Requester agreement to extend the response period.* The requester may agree, in writing, to extend the response period beyond 30 days. The requester must agree to the extension during the 5 business day or Authority extended response period.

*C. Final response.* The Authority may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of the Authority will be in writing. Should the Authority fail to issue a response within the applicable response period, the request is deemed denied.

*1. Granting access to records.* The Authority may grant a request for records by issuing a response: (1) granting access to inspect Authority records during the Authority's regular business hours; (2) sending copies of the records to the requester; or (3) by notifying the requester

that the records are available on the Authority's website or other publically accessible electronic means.

2. *Denying or partially denying access to records.* Should the Authority deny or partially deny a request for records through redaction or otherwise, the Authority will inform the requester of the denial or partial denial in writing. The response will inform the requester that the Authority does not possess the responsive record or, if the information is exempt from public access, provide a citation to the relevant legal basis for withholding the requested information.

3. *Fees.* The Authority will charge duplication and certification fees consistent with the Office of Open Records Fee Structure.

## **V. RTKL Appeals**

*Generally.* To challenge the denial or deemed denial of a request for Authority records, an appeal may be filed with the Office of Open Records by contacting:

Executive Director  
Office of Open Records  
Commonwealth Keystone Building  
400 North Street, 4<sup>th</sup> floor  
Harrisburg, PA 17120-0225  
[openrecords@pa.gov](mailto:openrecords@pa.gov)

*Requirements of an appeal.* All appeals: must be in writing; must state the grounds upon which the requester asserts that the requested records is a public record; must address any grounds stated by the agency for denying the request; and must include a copy of the request and the Authority's response, if any. All appeals must be filed within 15 business days of the mailing date of the agency's denial or deemed denial of the request.

## **VI. Additional Information about the RTKL.**

Additional information regarding the RTKL and the request and appeal process, including the Office of Open Records Citizen's Guide, Agency Guides and related forms, are available on the Office of Open Records website at <http://openrecords.state.pa.us>.