

# Essex County College College Regulation

## REG 4-15 OPEN PUBLIC RECORDS ACT (OPRA) REQUESTS

### **Purpose:**

To provide the public with timely, orderly, and efficient access to government records in accordance with the State of New Jersey Open Public Records Act (OPRA).

### **Definition(s):**

**Custodian of Records:** Person officially designated by the College to direct the implementation of OPRA rules and regulations.

**Government Records:** A government record is defined by law as “any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, 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 official business by any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, or that has been received in the course of official business by any such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof. The terms shall not include inter-agency or intra-agency advisory, consultative, or deliberative material.”

**Exemption:** A government record shall not include information which is deemed to be confidential for the purposes of P.L.1963, c.73 (C.47:1A-1 et seq.) as amended and supplemented (i.e. Social Security numbers, drivers’ license, employee identification number, deliberative materials, emergency security information, and information about sexual harassment or other grievances).

### **Application:**

1. The Compliance Associate, or in the absence of the Compliance Associate, a designee of the Office of Compliance and Equity shall serve as the Custodian of Records for the purpose of this regulation.
2. The Custodian of Records must comply with the request for a public record based on the timelines and procedures dictated by law.
3. Employees of the College shall direct any OPRA request in their possession to the Custodian of Records immediately upon receipt.
4. Employees of the College shall assume responsibility of producing appropriate, responsive records from their Area/Office, in advance of the statutory deadline, when a request for such records is made by the Custodian of Records.
5. The Custodian of Records shall adopt and make available to the public, a form for requesting access to a public record.
6. The Custodian of Records shall receive OPRA requests electronically or by mail. The process for making OPRA requests can be found on the College’s website, at [www.essex.edu/opra](http://www.essex.edu/opra).
7. Unless exempted, a government record shall be readily accessible for inspection, copying, or examination by the citizens, with certain exceptions and any limitations on the right of access accorded by law.
8. Notwithstanding the provisions of statutes as amended and supplemented, or any other law to the contrary, the Custodian shall not comply with an anonymous request for a government record which is protected under the provisions of New Jersey Statutes.
9. Pursuant to OPRA ((N.J.S.A. 47:1A-5. b)), the Custodian of Records may apply fees for any extraordinary expenditure of time, effort, amount of copies to accommodate a request.

<b>Responsible Official(s): Office of Compliance and Equity</b>	Reference(s): <i>N.J.S.A.</i> 18A:64A-12(o); Board Policy: BP 2-9
<b>Regulation History: App. 11/95, Rev. 10/01, 12/10, 3/22, 10/23</b>	<b>Attachment(s):</b>