

Harford Community College

Policy and Procedures for Maryland Public Information Act Requests

Adopted 10/21/10; revised 6/24/19

I. STATEMENT OF POLICY

The Maryland Public Information Act grants the public a broad right of access to certain records. Harford Community College facilitates public access to its qualifying public records.

II. OFFICIAL CUSTODIAN OF RECORDS AND REQUESTS FOR ACCESS

The Director for Communications is appointed the official custodian of records, responsible for the keeping of public records for Harford Community College and processing all requests for records. Requests for access are to be in writing and mailed or emailed to the official custodian.

A. Processing Requests

The official custodian may request clarification about the purpose for the request. Requests to inspect and/or copy records will be answered as soon as practicable, not to exceed thirty (30) days from receipt of the request. The official custodian will notify an applicant if the records are lost, destroyed, or do not exist.

B. Denial of Request

If the official custodian denies the request, within ten (10) working days from the denial, the official custodian will provide the written notice of the reason and the legal authority for the denial. Applicants have a right to request judicial review of the denial of a request.

C. Grant of Request

If the official custodian grants the request, all records will be provided in the format in which the record exists and/or is kept in the ordinary course of business. Harford Community College and the official custodian will not perform research or create, classify, organize or modify records to satisfy a request to inspect or copy. Unless the official custodian agrees otherwise, all inspections are to be during normal working hours and are to take place where the records are kept in the ordinary course of business.

III. MANDATORY DENIALS

Harford Community College will deny requests for records as required by state or federal statute or regulation; the rules adopted by the Court of Appeals or an order of a court of record; and if the public record is privileged or confidential. Harford Community College also will not grant access under this Policy for: letters of reference for employees and students; library circulation records; library, archival, or museum materials given by a donor who limits public disclosure as a condition of the gift; sociological information if the official custodian has adopted rules or regulations defining this term; confidential commercial, financial, geological or geophysical information or trade secret information provided by or obtained from another; employees' home addresses and/or telephone numbers; information about the security of an information system; surveillance images; student education records; personnel records; and retirement records.

IV. DISCRETIONARY DENIALS

Harford Community College may deny requests if disclosure would be contrary to the public interest, unless otherwise required by law. This includes requests for: inter-departmental, intra-departmental, inter-college and intra-college communications that would not be available to a private party in litigation with the college; examinations including test questions, answers, and scoring keys; research projects; appraisals of property owned by Harford Community College; records of investigation, intelligence information, security procedures, or investigatory files; plans and procedures relating to emergency procedures and records relating to buildings, facilities, and infrastructure the disclosure of which would jeopardize security; any records that contain person information about a student; and any portion of a record containing personal information if the information is requested for commercial purposes.

V. REASONABLE COSTS

Reasonable costs may be assessed to compensate for costs incurred by Harford Community College. These costs include, but are not limited to: costs associated with searching for and preparing records for inspection beyond two (2) hours; copying fees of twenty-five (25) cents per page for black and white copies and \$1.00 per page for color copies; the costs of an outside copying company, if required; and any costs for mail or delivery associated with a request. Harford Community College will provide an applicant with the estimated costs and may require the applicant to prepay those costs prior to procurement of the records. In limited circumstances, Harford Community College may waive the costs associated with the procuring and copying a record.

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