

## **GUIDELINES TO ASSIST PERSONS SEEKING ACCESS TO PUBLIC RECORDS IN THE CUSTODY OF THE COLLEGE**

The Massachusetts Public Records Law (M.G.L. Chapter 66 & Chapter 4, Section 7(26)) provides that every person has a right to access public information. This right of access includes the right to inspect or be furnished a copy of any public record, or to be notified of a denial of such a request, within ten (10) business days following the receipt of a request. In order to assist members of the public with accessing public records in the custody of the College, the following guidelines are provided.

- Requests for public records should be directed to Debbie Bellucci or Joseph DaSilva the College's Records Access Officers. The Records Access Officer can be contacted at 413-755-4334 or [dbellucci@stcc.edu](mailto:dbellucci@stcc.edu) and 413-755-4889 or [jdasilva@stcc.edu](mailto:jdasilva@stcc.edu)
- Although not required, requests for public records should be submitted in writing in order to ensure that the College accurately and completely responds to your request.
- A request for public records should include:
  - Description of specific records being requested;
  - Date parameters for the public records being requested;
  - Name of person or organization requesting the public records; and
  - The requesting person's/organization's contact information.
- The public records maintained by the College include, but are not limited to:
  - Minutes of open meetings;
  - Policies and procedures;
  - Annual Reports required by state or federal law;
  - Institutional or departmental annual reports;
  - Institutional or departmental annual budgets;
  - Awards of federal, state and municipal government grants;
  - Contracts and agreements;
  - Bids for a contract or agreement that has been awarded or finally rejected;
  - Financial and budget information;
  - Audit reports by an independent, certified public accountant; and
  - Salaries and benefits of public employees.
- The College maintains a searchable website at, <http://www.stcc.edu/publicrecords> where public records are available for public inspection and copying.
- The Records Access Officer shall provide public records to a requestor by electronic means unless the record is not available in electronic form or the requestor does not have the ability to receive or access the records in a usable electronic form.
- The College is only required to provide records that are in existence at the time of a request and is not required to create a new record based on information in its custody to accommodate a specific request.

- Records generally considered exempt from disclosure under the law include:
  - Documents exempted from disclosure by statute;
  - Student records;
  - Criminal record information;
  - Personnel or medical files or information;
  - Any material or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy;
  - Inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the College;
  - Personal notes or materials not maintained as part of the College's official files;
  - Investigatory materials compiled by law enforcement or investigatory officials the disclosure of which would prejudice the possibility of effective law enforcement;
  - Trade secrets and commercial or financial information provided to an agency for use in developing governmental policy and upon a promise of confidentiality;
  - Proposals and bids to enter into a contract or agreement before the contract or agreement is awarded or finally rejected;
  - Real property appraisals;
  - Test information, including questions, answers, scoring keys and other materials used to develop, administer or score a test, examination or assessment instrument;
  - Blueprints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety of persons, buildings, structures, facilities, utilities, transportation or other infrastructure located within the commonwealth, the disclosure of which, in the reasonable judgment of the custodian is likely to jeopardize public safety;
  - Home addresses and phone numbers of State employees; and
  - Home addresses and phone numbers of a family member of a State employee.
- Under some circumstances the College may assess a reasonable fee for the production of public records.
- Permissible charges include, but are not limited to, fees for storage devices or materials, five cents (\$0.5) per copy and personnel services.
- There shall be no fee for the personnel services required to satisfy a public records request for the first 4 hours of work performed. If more than 4 hours of employee time is required to complete a request a fee may be charged at the hourly rate equal to or less than the hourly rate of the lowest paid employee who has the necessary skill required to complete the record request, which rate shall not exceed twenty-five dollars (\$25) per hour.
- Said fee restrictions may not apply when a request for records is for a commercial purpose as determined by the Commonwealth's Supervisor of Records.