

# Davis Technical College (College)

## GRAMA Policy and Procedures

**Effective Date: 12/8/2017**

President's Council Approval: 10/9/2017

College Board of Directors Approval: 12/7/2017

### 1. Purpose

1.1. The Davis Technical College (College) complies with the provisions of federal and state law relating to the retention and disclosure of records as defined in the Utah Government Records and Access Management Act (GRAMA). This policy identifies the individuals responsible for administering the College records program and provides guidance for determining the appropriate release of records.

### 2. References

2.1. Utah Code 63G-2 et. al. – Government Records Access and Management Act

2.2. Utah Code 63A-12 et. al. – Public Records Management Act

### 3. Definitions

3.1. **Record** – As defined in the Utah Government Records and Access Management Act (GRAMA) section 63G-2-103 a record is a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics: (i) that is prepared, owned, received, or retained by a governmental entity or political subdivision; and (ii) where all of the information in the original is reproducible by photocopy or other mechanical or electronic means.

3.2. **Classification** – “Classification,” “classify” and their derivative forms mean determining whether a record series, record, or information within a record is public, private, controlled, protected, or exempt from disclosure under GRAMA section 63G-2-201(3).

3.3. **Designation** – The primary classification for the majority of records in a given record series (i.e. student records, fiscal records, etc.).

3.4. **Formal Request** – A written request for specific record(s) which are not considered unquestionably public (i.e. private, controlled, protected or exempt). Request must be made using the form(s) designated by the College.

### 4. Policy

4.1. As an entity of the State of Utah, the College complies with providing public records for information as covered by and provided through the GRAMA.

### 5. Procedures

5.1. The College will appoint one Records Officer to provide for the care, maintenance, scheduling, disposal, classification, designation, access and preservation of the institution's records.

5.2. The Records Officer will be responsible for working with College employees to determine a designation for all record series routinely used at the College.

5.3. The Records Officer will be responsible for establishing and maintaining a schedule of fees for records access/duplication as provide by Utah Code 63G-2-203(3).

5.3.1. When the College designates a record as private or controlled, the institution must also file a statement with state archives explaining the purposes for which the records are collected and used by the institution (Utah Code 63G-2-601).

5.3.1.1. The College may use the record only for the purposes listed in that statement.

5.3.1.2. Sharing records with other governmental entities is allowed, subject to the restrictions of Utah Code 63G-2-201.)

5.4. Formal requests for access to records will be submitted either electronically or on paper using the designated College form.

5.4.1. Employees who receive requests which may be GRAMA requests, are required to forward such requests to the Records Officer for action.

5.4.2. All formal requests for access to records will be assessed by the Vice President of Quality and Development in coordination with the Records Officer to determine a) if the request is permissible under GRAMA rules, and b) to refer the request to the appropriate member of the College staff for resolution.

5.4.3. The designation for the record will be used as the primary determinant for responding to the request. If the designation is unclear or absent, the Vice President of Quality and Development and Records Officer will coordinate with the executive council to determine how to handle the request.

5.4.4. If a request is presented as a GRAMA request, but is determined to be a different kind of request (i.e. transcript request, subpoena, individual student request for records, request for access to information available through state transparency processes, etc.) it will be no longer considered a GRAMA request and the requestor will be directed to the appropriate avenue for fulfilling the request.

5.5. If a formal records request is denied, a dissatisfied requester has the right to appeal to the College President or designee.

5.6. An individual may contest the accuracy or completeness of records concerning him or her. Appeals from such decision are governed by Utah Code 63G-2-603.

5.7. Donors and prospective donors may request anonymity by making such request in writing through the Director of the Davis Technical College Foundation.

## 6. Approval and Notes

6.1. Initial approval 12/7/17