The meeting of the Montgomery County Community College Board of Trustees was held on Monday, April 27, 2015 at 4:00 p.m. in the North Hall Community Room 106, West Campus.

Board of Trustees – Present: Michael D’Aniello, Chairperson; Andy Cantor, Vice Chairperson; Regina Lowrie, Treasurer; Marcel Groen, Assistant Secretary; Moon Ahn, Susan Arnhold, Margot Clark, Geoffrey Brandon, Anisha Robinson Keeys, Sean Kilkenny, Richard Montalbano, Ed Mullin and Ellen Toplin

Absent: Trudy Mann, Secretary and John Rafferty

Also Present:
Karen Stout, President; Marc Davis, Solicitor; Vicki Bastecki-Perez, Vice President of Academic Affairs and Provost; Kathrine Swanson, Vice President of Student Affairs and Enrollment Management; Celeste Schwartz, Vice President for Information Technology and College Services; Arline Stephen, Vice President for Development and External Relations; Mike Yosifon, Interim Vice President for Finance and Administration; Peggy Lee-Clark, Executive Director of Government Relations and Special Projects; Diane O’Connor, Executive Director of Human Resources; Leon Hill, Assistant Vice President for Institutional Research & Effectiveness; David DiMattio, Dean of STEM; Rhoda McFadden, History Professor, Faculty Union Representative; Jaime Garrido, Associate Vice President for Facilities and Construction; Alana Mauger, Director of Communications; Kathleen McGirr, Controller; Lynn Hotltzman, Student Accounting Supervisor; Philip Needles, Dean of Business & Entrepreneurial Initiatives/Strategic Advisor to the President; Joe McGuriman, Director of Campus Safety; Jose Alicea, Dean of Academic Affairs and Student Affairs, West Campus; Ronald Brand, Interim Vice President of Finance and Administration; Ryan Foster, Information Technology Manager, West Campus; Deborah Rogers, Executive Assistant to the Board of Trustees; Kendra Houck, Student, All PA Academic Team, Donna Muscatello, Parent of a Current Student; Katherine Muscatello, Student; Ashley Seenan, Student; Alyssa Tiedeman, Student; Abigail Rutkowski, Student; Marissa Boerner, Student; Casey Nilsson, Student; Georgette Brown, Student; Elizabeth Zitherambere, Student; Kaima Laguel, Student

Call to Order
Chairperson D’Aniello called the meeting to order at 4:05 p.m.

Pledge of Allegiance
Kendra Houck, a student on the All Pennsylvania Academic Team, led the attendees in reciting the Pledge of Allegiance.

Presentation of All-Pennsylvania Academic Team Resolutions
Chairperson D’Aniello read and presented Kendra Houck with a Board of Trustees Resolution for her academic and personal achievements and for being a member of the All-PA Academic Team.
Introduction of Guests
Vice President Schwartz introduced the following new guests to the Board: Lynn Holtzman, Student Accounting Supervisor; Donna Muscatello, Parent of a current student; Katherine Muscatello, Ashley Seenan, Alyssa Tiedeman, Abigail Rutkowski, Marissa Boerner, Casey Nilsson, Georgette Brown, Elizabeth Zith Woodward, Kaima Laguel, students in Bio 131 and 132 classes.

Public Testimony
The following guests asked to speak on behalf of the class instructor for Bio 131 and Bio 132. Georgette Brown, Donna Muscatello, Ashley Seenan and Alyssa Tiedeman. Trustee D’Aniello thanked the group and noted their concerns.

Consent Agenda
Trustee Lowrie made the motion to approve Consent Agenda Items A through E for the month of April as presented. Trustee Cantor seconded and the Board unanimously approved Consent Agenda Items A through E.

Action Items:
A. Approval of the March 23, 2015 Minutes
B. Professional Hires, Separations and Retirements for April 2015

Information Items:
C. Wilmington Trust Performance Update
D. Upgrade to College Wireless Infrastructure
E. Siemens – ESCO Update

Quarterly Treasurer’s Report through March 31, 2015
Trustee Lowrie reported highlights of the Treasurer’s report.

Nine Months ended March 31, 2015
Net assets is trending $3M higher than the same period last year due in part to lower compensation expense compared to the same period last fiscal year. The increase is also attributed to an increase of $1.5M in capital funding compared to the same period last year.

Accrued expenses under Current Liabilities are higher as the College transitions to self-funded medical benefits effective January 1, 2015.

Trustee Lowrie made the motion to accept the quarterly Treasurer’s report ending March 31, 2015 as presented. Trustee Brandon seconded and the Board unanimously approved.

President’s Report
President Stout reviewed highlights of the President’s Report.

Increase Access and Success:
Middle States Visiting Team Visit:
On March 22-25, the College hosted the Middle States Visiting Team as a culmination of the reaccreditation process. The Visiting team included 9 members from community colleges in the
Mid-Atlantic region. They were led by Dr. Gail Mellow, the President of LaGuardia Community College. Dr. Mellow presented an oral exit report to the College community which was followed by a draft Final Team Report which the College received in early April. Our team reviewed the report for any suggested changes on errors of fact or ambiguous statements. The highlights of the report included the following:

- The Evaluation team affirmed that the College continues to meet the Requirements of Affiliation as set forth in the Characteristics of Excellence
- The Evaluation Team affirmed that the College’s Title IV cohort default rate is within federal limits, and that the College meets all relevant requirements under the Higher Education Opportunity Act of 2008 related to distance education, transfer of credit, and credit hours

Dr. Mellow will present the report to the Middle States Commission on Higher Education in June when we will receive official notification about our status.

**Enrollment Summary:**

**Fall 2015 Registration:**

As of April 27, unduplicated headcount is up .24% (2,529) compared to same day last year (2,523). Total credit hours is down .11% (21,789) compared to last year (21,812).

**Summer 2015 Enrollment:**

As of April 27, unduplicated headcount is up 3.98% (4,759) compared to same day last year (4,577). Total credit hours is up 2.80% (25,253) compared to last year (24,566).

**Children’s Center:**

The Children’s Center received notice on March 25, that their bid for the National Association for the Education of young Children (NAEYC) Accreditation renewal was successful. The Center scored 100% in eight out of ten standards, with scores exceeding 100 percent in six of the eight. NAEYC Accreditation is effective for five years.

**Student Leadership/Service Learning/Co-Curricular Accomplishments**

One of our student leaders, Angela Tate, has been named the Newman Civic Fellow for 2015 at MCCC. The Newman Civic Fellows Award honors inspiring college student leaders who have demonstrated an investment in finding solutions for challenges facing communities throughout the country. During the course of the 2014-15 academic year, Angela received training at the Women’s Center of Montgomery County to serve as a hotline counselor. Additionally, Angela spent time at the Norristown Courthouse observing Protection from Abuse hearings to prepare for her volunteer position. Angela’s commitment and dedication to raising awareness and supporting an end to domestic violence has assisted in her own development as a future professional in the field of criminal justice, and led her to volunteer with this organization to further support life changes for women within Montgomery county.
The All PA Academic Team Banquet was held Monday, April 13 in Harrisburg. Our 2015 All PA Academic Team includes Kendra Houck, Angelina Sirak, Heidi Hunsberger and Caitlin Moser. Kendra and Heidi were also be recognized as 2015 Coca-Cola Silver Scholars.

**Build Curricular Relevance, Innovation in Delivery and Supportive Faculty Development Systems:**
In late March, the Commission on Accreditation of Allied Health Education Programs (CAAHEP) awarded continuing accreditation status to the College’s Medical Assistant program at the West and Central Campuses based on the recommendation of the peer-review team from the Medical Assisting Educational Review Board.

**President’s Outreach:**
On April 13 President Stout attended the Pennsylvania Commission for Community College’s Annual Meeting in Harrisburg. Students from the All PA Academic Team were recognized for their accomplishments at a reception and dinner held in their honor. Members from our legislative delegation presented recognition certificates to team members who were their constituents. Earlier in the day, the team members were recognized on the Senate floor by Senator Bob Mensch. Also during the meeting, President Stout was recognized for her commitment and dedication to community colleges and for her years of service as a PA Community College President.

**Legislative:**
Lobby Day at the Capitol in Harrisburg took place on Tuesday, April 14. Approximately 15 students participated in the Lobby Day activities where they met with Senate and House members and their staffs to raise awareness about the need for the State to invest in community colleges. Additionally, the Culinary Arts Institute students sponsored a display table in the Capitol rotunda throughout the day.

**Sense of Place to Support Learning:**
The 2015 Presidential Symposium featuring 2013 Inaugural Poet Richard Blanco was held on March 26. In preparation for Richard Blanco’s arrival, faculty and staff launched a poetry contest in early February based on one of Richard Blanco’s poems, “The Name I Wanted,” from his collection of poems *In Looking for the Gulf Motel*. There were 41 entries in all, and 5 selected winners were engaged in a working luncheon with several other participants, faculty and staff, and had their poems reviewed and critiqued by the faculty panel as well as Richard Blanco. The 5 winners also had dinner with Richard Blanco, faculty and staff. More than 250 audience members were in attendance at the community event.

**Foundation/Alumni Highlights:**
The Capital Campaign continues to have success and has raised $10,189,050 as of March 31, 2015.

**Create a High Performance Culture:**
On April 16, the College was informed by the Center for Digital Education, that the College ranked 2nd place in their top ten ranking for the 2014-2015 Digital Community Colleges Survey! The top-ten winning colleges reflect a comprehensive implementation of technology supporting the educational institution’s operations, as well as serving students, faculty and administrators.
On April 22 the College held its 7th Annual Administrative Assistant Professional Development Breakfast. The focus of this year’s event was to provide a fun and light activity, allowing staff to network, while taking away some valuable skills and ideas to help them at their work. There were over 95 attendees, the event received positive feedback for its ability to celebrate and recognize the work of the Administrative Assistant group.

The College’s 2015 Innovation of the Year was held on April 23 and the winner, Student Success Textbook Lending Library was selected from among seven entries. This Innovation is a student focused initiative allowing students access to textbooks they would not be able to afford.

As part of the President’s report, President Stout introduced the new Interim Vice President of Administration and Finance, Mr. Ronald Brand.

Executive Session:
Chairman D’Aniello called the Board into an Executive Session at 4:37 p.m. to discuss personnel matters. No action was taken during their session. The Board re-adjourned at 5:23 p.m.

Finance Committee:
Trustee Brandon reported for the Committee.

Montgomery County Employees Tuition Assistance Program (MCE-TAP): This program will allow County employees, spouses and their dependents to take two credit courses for paid tuition of a single course or to pay tuition for and complete one course and then receive another course (tuition waived) once the first course is successfully completed. This program will begin in Fall 2015.

Trustee Brandon made the motion that the Board authorize for submission of the 2015-16 Capital Application for State Assistance as proposed herein. Trustee Arnhold seconded and the Board unanimously approved.

Personnel Committee:
Trustee Montalbano reported for the Committee:

Right to Know Policy: Every College policy is on a five year review cycle. The adopted changes clarify the definition of the five (5) business day period (see attachment A).

Trustee Montalbano motioned to accept the Right to Know policy (#5.14) as presented. Trustee Cantor seconded and the Board unanimously approved.

Follow-up from the Executive Session: Trustee Montalbano made the recommendation that the Board of Trustees hire Dr. James Linksz as the Interim President. Dr. Linksz retired from Bucks County Community College where he served for more than twenty years, retiring in 2012. Dr. Linksz will spend June in transition with Dr. Stout and will take the helm of the College July 1, 2015.
Trustee Montalbano made the motion to recommend the hiring of Dr. James Links as the Interim President. Trustee Lowrie seconded and the Board unanimously approved.

The Presidential Search Advisory Committee reviewed the most recent presidential job description and made several revisions including the weighting of the academic responsibilities of the incoming president.

Trustee Montalbano motioned to recommend approval of the revised presidential job description. Trustee Cantor seconded and the Board unanimously approved.

**Bids:**

**Marketing for PLA: TAACCCT II Funded:**
Trustee Cantor made the motion to award Annodyne, Inc. on a sole source basis in the amount of $261,015.00 to fulfill the project’s outreach requirements. Trustee Arnhold seconded and the Board unanimously approved.

**PLA Website and e-Portfolio Portal – TAACCCT II Funded:**
Trustee Cantor made the motion to award Annodyne, Inc. on a sole source basis in the amount of $151,200.00 to fulfill the modifications on the website and portal. Trustee Arnhold seconded and the Board unanimously approved.

**Asphalt Repair Program for 2015:**
Trustee Brandon motioned to recommend awarding the contract for asphalt repairs at the Central Campus to Associated Paving Contractors Inc. for a total not to exceed $162,767. Trustee Clark seconded and the Board unanimously approved.

**Spring 2015 Audio Visual Requirements:**
Trustee Arnhold motioned to recommend that the Board approve awarding contracts in the amount of $114,827.69 to the following five firms for the amounts specified: Advanced AV, LLC $57,519.00; B&H Foto & Electronics Corp. $2,391.37; Star AVR $23,095.00; Vistacom, Inc. $13,129.32; Visual Sound, Inc. $18,693.00. Trustee Brandon seconded and the Board unanimously approved.

**Chair’s Report:**
Chairman D’Aniello reminded everyone that the 2015-2016 Board Master Calendar is included in their Board packet and to note all upcoming committee and Board meetings on their calendars.

Chairman D’Aniello also noted that Geoff Brandon will be the Chair of the Finance Committee and that he moved Trustee Kilkenny from the Curriculum Committee to the Finance Committee. Anisha Robinson Keeys will be on the Curriculum Committee. All other committees and members remain the same.

Chairman D’Aniello motioned to approve the Committee changes. Trustee Cantor seconded and the Board unanimously approved.
Chairman D’Aniello also noted that he will be bringing forward proposed amendments to the By-laws and a revised Statement of Governance at the May Board meeting.

**Old Business**
There was no old business to report.

**New Business**
There was no new business to report.

**Adjournment**

The meeting was adjourned at 6:11 p.m.

The next meeting is scheduled for Monday, May 18, 2015, 4:00 p.m. in the Rotelle Family Board Room, East House, Central Campus.

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Marcel Groen
Assistant Secretary
I. PURPOSE

The Board of Trustees recognizes the importance of public records as the record of the College’s actions and the repository of information about the College. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board and administrative policies.

II. DEFINITIONS

Confidential proprietary information - Commercial or financial information received by the College:

1) which is privileged or confidential; and
2) disclosure of which would cause substantial harm to the competitive position of the person that submitted the information.

Financial record - any account, voucher or contract dealing with the receipt or disbursement of funds or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual’s name and title; and a financial audit report, excluding the audit’s underlying work papers.

Public record - a record, including a financial record that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania’s Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.

Record - information, regardless of physical form or characteristics, that documents a College transaction or activity and is created, received or retained pursuant to law or in connection with a College transaction, business or activity, including: a document; paper; letter; map; book; tape; photograph; film or sound recording; information stored or maintained electronically; and a data-processed or image-processed document.
Response - granting of access to a record or the College’s written notice to a requester granting, denying, or partially granting and partially denying access to a requested record.

Requester - a legal resident of the United States who, or an agency which, requests access to a record.

Trade secret - Information, including a formula, drawing, pattern, compilation, including a customer list, program, device, method, technique or process that:

1) Derives independent economic value, actual or potential, from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and

2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. The term trade secret includes data processing software obtained by an Agency under a licensing agreement prohibiting disclosure.

For purposes of determining the five (5) business-day period:

1) A business day shall be any Monday, Tuesday, Wednesday, Thursday, or Friday, except those days when the offices of the College are closed for all or part of a day. These closings may include an official College holiday; severe weather; a natural or other disaster; or a request of local, state, or federal law-enforcement agencies or officials.

2) Requests may be submitted during regular business hours, which are 8:30 a.m. to 5 p.m. Requests received after 5 p.m. will be deemed to have been received on the following business day.

3) For purposes of determining the end of the five (5) business-day period, the day that a request is received (or deemed to be received) is not counted. The
III. AUTHORITY

The Board shall make the College’s public records available for access and duplication to a requester, in accordance with law, Board and administrative policies.

IV. DELEGATION OF RESPONSIBILITY

The President shall designate a Right-to-Know Officer who shall serve as the College’s open records officer as defined in Pennsylvania’s Right-to-Know Act. The Right-to-Know Officer shall be responsible to:

1. Receive written requests for access to records submitted to the College.
2. Develop and revise the form used to request records as well as forms used in responding to requests for public records.
3. Review and respond to written requests in accordance with law, Board and administrative policies.
4. Direct requests to other appropriate individuals in the College or to the appropriate persons in another agency.
5. Track the College’s progress in responding to requests including but not limited to noting the date of receipt on the written request, computing the day on which the five-day response expires and making a notation of that date on the written or electronic copy of a request.
6. Issue interim and final responses to submitted requests, including computing the day on which extension of a thirty days to respond expires and making a notation of that date on the written request. If a written request for access to a
record is denied, the mailing date of the Right-to-Know Officer’s response shall be noted on the written denial.

7. Maintain a log of all record requests and their dispositions.

8. Maintain a file for each request and all documents submitted with the request including but not limited to the original request, a copy of the response(s), a record of written communications with the requester, and a copy of any other communications. If the written request is denied, maintain the written request for at least thirty (30) days or, if an appeal is filed, until a final determination is issued and the appeal period therefrom has expired.

9. Ensure College staff are trained to perform assigned job functions relative to requests for access to records.

V. GUIDELINES

Requesters may access and procure copies of the public records of the College during regular business hours.

A requester’s right of access does not include the right to remove a record from the control or supervision of the Right-to-Know Officer.

The Right-to-Know Officer shall not limit the number of records requested.

When responding to a request for access, the College is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the College does not currently use.

Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice.

The College shall post at the Right-to-Know Officer’s office and on the College’s web site, the following information:

<table>
<thead>
<tr>
<th>SUBJECT:</th>
<th>NUMBER:</th>
<th>PAGE:</th>
<th>OF:</th>
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<tbody>
<tr>
<td>Right – To – Know Act</td>
<td>5.14</td>
<td>4</td>
<td>10</td>
</tr>
</tbody>
</table>

DATE: April 2015

SUPERCEDES: January 2009
Board of Trustees Policy

1. Contact information for the Right-to-Know Officer;

2. Contact information for the Pennsylvania Office of Open Records;

3. The form which may be used to file a request; and

4. Policy, guidelines and procedures governing requests for access to the College’s public records.

Request For Access

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Right-to-Know Officer.

Written requests may be submitted to the Right-to-Know Officer in person, by mail, to a designated facsimile machine or to a designated e-mail address.

The Right-to-Know Officer may not accept verbal or telephonic requests.

The Right-to-Know Officer may not accept written, anonymous requests.

Each request must include the following information:

1. Identification or description of the requested record in sufficient detail;

2. Medium in which the record is requested; and

3. Name and address of the individual to receive the College’s response.

The College shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.
Fees

The Right-to-Know Officer shall establish and keep current a list of reasonable fees which shall be no more than the fee structure for permissible charges as established by the Office of Open Records associated with responding to requests for public records.

The fee for each photocopy shall be 25¢ per page. A “photocopy” is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5” x 11” page.

No fee may be imposed for review of a record to determine whether the record is subject to access under law.

Prior to granting access, the Right-to-Know Officer shall require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed $100.

The Right-to-Know Officer may waive duplication fees when the requester duplicates the record or the College deems it is in the public interest to do so.

Enhanced Electronic Access: If the Right-to-Know Officer determines that the College offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a requester, the Right-to-Know Officer may establish user fees specifically for the provision of the enhanced electronic access, but only to the extent that the enhanced electronic access is in addition to making the records accessible for inspection and duplication by a requester as required by this Act. The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access or any other reasonable method and any combination thereof. The Right-to-Know Officer is authorized to seek approval from the Office of Open Records before fees for such access are charged.
Response to Request

College employees are directed to immediately forward requests for access to public records to the Right-to-Know Officer.

Upon receipt of a written request for access to a record, the Right-to-Know Officer shall determine if the requested record is a public record and if the College has possession, custody or control of that record.

The Right-to-Know Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Right-to-Know Officer.

The initial response shall grant access to the requested record, deny access to the requested record, partially grant and partially deny access to the requested record, or notify the requester of the need for an extension of time to fully respond.

Extension of Time

If the Right-to-Know Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt-of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected, and, if applicable, an estimate of applicable fees owed when the record becomes available. Where this policy requires that “written notice” be provided, this shall include but is not limited to notice sent by the use of electronic mail or facsimile transmission.

Up to a thirty (30) day extension for at least one of the listed reasons does not require the consent of the requester.

A requester may consent in writing to an extension that exceeds thirty (30) days.
Granting of Request

If the Right-to-Know Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include information on the regular business hours of the Right-to-Know Officer, provide electronic access, or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall either include a copy of the fee schedule in effect or notice of a web link to the fee schedule, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of one hundred dollars ($100.00), and the medium in which the records will be provided.

A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the College is not required to permit use of its computers.

The Right-to-Know Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means or that the College shall provide access to inspect the record electronically. If the requester, within thirty (30) days following receipt of the College’s notice, submits a written request to have the record converted to paper, the College shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.

If the Right-to-Know Officer determines that a public record contains information both subject to and not subject to access, the Right-to-Know Officer shall grant access to the information subject to access and deny access to the information not subject to access. The Right-to-Know Officer shall redact from the record the information that is not subject to access.

If the Right-to-Know Officer responds to a requester that a copy of the requested record is available for delivery at the office maintained by the Right-to-Know Officer and the requester does not retrieve the record within sixty (60) days of the College’s response, the College shall dispose of the copy and retain any fees paid to date.
The Right-to-Know Officer, after consultation with the College President may make an otherwise exempt record accessible for inspection and copying if all of the following apply: (1) Disclosure of the record is not prohibited under any (i) Federal or State law or regulation or (ii) Judicial order or decree; (2) the record is not protected by a privilege; and (3) the College President determines that the public interest favoring access outweighs any individual, agency or public interest that may favor restriction of access.

Notification to Third Parties

When the College produces a record that is not a public record in response to a request, the Right-to-Know Officer shall notify any third party that provided the record to the College, any person that is the subject of the record, and the requester.

The Right-to-Know Officer shall notify a third party in writing of a record request if the requested record contains a trade secret or confidential proprietary information within five business days from receipt of the record request. If a record has been previously designated as containing a trade secret or confidential proprietary information, written notice of the need for a thirty day extension of time should be provided to the requestor. The written notice to the third party shall advise that the third party has five business days from the date the third party receives notification from the College to provide input on the release of the record.

If a record has been previously designated as containing a trade secret or confidential proprietary information, access to that portion of the record shall ordinarily be denied unless the third party consents in writing to the release of the previously designated trade secret or confidential proprietary information. Release of information previously designated as containing a trade secret or confidential proprietary information should only be made after review by the College’s solicitor.
Denial of Request

If the Right-to-Know Officer denies a request for access to a record, whether in whole or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Right-to-Know Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

The Right-to-Know Officer may deny a request for access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the agency.

The Right-to-Know Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record’s contents shall be made accessible even when the record is physically unavailable.

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state’s Office of Open Records within fifteen (15) business days of the mailing or transmittal date of the Open Records Officer’s response or deemed denial.