**RIGHT-T0-KNOW RESPONSE and REDACTION**

1. Open Records Officers have five (5) days to respond.
   1. Say a record has some information subject to disclosure and some that is not. The agency is required to redact the information not subject to disclosure. §706
2. For Example:
   1. A request for the employment application of someone who has been hired by the system.
   2. John Q. Public was hired on 11/13/2008.
   3. On Monday, January 5, 2008, a RTK request is received by the Office of the Chancellor Open Records Officer for John Q. Public's employment application and his salary.
   4. The Open Records Officer has five business days to respond. Therefore, a response is due on Monday, January 12, 2008. (Do not count day request was received.)
3. Is it a public record? If so, what needs to be redacted, if anything. Is it a public record subject to disclosure?
   1. Is it a record received or retained in connection with a business or activity of the agency?
   2. Is it exempt under §708?
   3. Is it exempt under a federal or state law or regulation, or court order?
   4. Is the record privileged?
   5. Is his salary a financial record?
4. Public Record - Analysis
   1. It is certainly a record retained for a business purpose.
   2. Some of it seems to be exempt under §708(b)(6).
   3. There seems to be no federal or state law or regulation that applies.
   4. No evidence of a court order.
   5. No privilege applies.
5. A financial record is subject to disclosure as a public record including the name and title of the employee. §102
6. Public Record - Conclusion
   1. It is a public record subject to redaction.
   2. The financial information is subject to disclosure.
7. Do you need an extension? Must be requested within the five day window.
8. Response
   1. A letter responding to the requestor with the following.
      1. Name, title, and salary of John Q. Public.
      2. Redacted copy of employment application.
9. New Right to Know Law
10. If you have any questions, please contact our university legal counsel at 717-720-4070.