



# UTAH VALLEY UNIVERSITY

## Policies and Procedures

<b>POLICY TITLE</b>	Compliance with <i>Government Records Access and Management Act</i>	<b>Policy Number</b>	133
<b>Section</b>	Governance, Organization, and General Information	<b>Approval Date</b>	January 27, 2022
<b>Subsection</b>	Publications, Reports, Research, and Records	<b>Effective Date</b>	January 27, 2022
<b>Responsible Office</b>	Office of the Vice President of Planning, Budget, and Finance		

### 1.0 PURPOSE

1.1 The *Government Records Access and Management Act (GRAMA)* is Utah’s primary open records law. Through UVU’s GRAMA process outlined in this policy, the public may request access to certain physical or electronic records maintained by the University.

### 2.0 REFERENCES

2.1 *Utah Government Records Access Management Act*, Utah Code Ann. §§ 63G-2-101, et seq., as amended.

### 3.0 DEFINITIONS

3.1 **Records officer:** The individual appointed by the chief administrative officer of each governmental entity, or the political subdivision to work with state archives in the care, maintenance, scheduling, designation, classification, disposal, and preservation of records.

### 4.0 POLICY

4.1 The University complies with GRAMA, adopting the statute’s provisions, definitions, terms, and timing requirements, as enacted, including amendments.

4.2 GRAMA requests shall be directed to the University’s GRAMA Office. The University’s Records Officer is appointed by the Vice President of Planning, Budget, and Finance or their designee to manage all requests submitted in accordance with GRAMA.

### 5.0 PROCEDURES

5.1 The GRAMA Office shall make a good faith effort to ensure all records requests are properly handled in accordance with local, state, and federal law. As necessary, the Office of General Counsel and the GRAMA Office shall collaborate to ensure the University’s compliance with GRAMA.



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**5.1.1** The GRAMA Office shall seek advice from the Office of General Counsel in responding to requests for sensitive information, such as requests potentially involving federal, local, or other state laws; pending legal matters; health records; student records; personnel records; intellectual property records; attorney-client privileged records; the disclosure of any record that may have safety or security implications; and other matters as the GRAMA Office and the Office of General Counsel may deem appropriate.

**5.1.2** The Office of General Counsel will provide the GRAMA Office with its interpretations of the GRAMA statute, statutory amendments, and applicable case law and advise the GRAMA Office on Utah Records Committee decisions.

**5.2** In accordance with the GRAMA statute's timing requirements, the GRAMA Office will issue in a timely manner a response letter to be delivered either by e-mail or postal mail, in response to the record requestor's submission. If a request is denied in full or in part, which includes records containing redactions, the GRAMA Office's response letter will contain an explanation for the denial and/or redactions. The GRAMA Office's response letter will also inform the record requestor of their right to appeal the GRAMA Office's decision.

**5.3** Record requestors who have been denied access to records by the GRAMA Office may appeal that determination within 30 calendar days of the mailing of the GRAMA Office's response letter by providing a written notice of appeal to the Vice President of Planning, Budget, and Finance.

**5.3.1** The written notice of appeal shall contain the grounds for the record requestor's appeal, including the reasons the requestor disputes the GRAMA Office's denial. The GRAMA Office will have seven calendar days from the date the Vice President of Planning, Budget, and Finance receives the notice of appeal to submit a written acknowledgment of receipt.

**5.3.2** The Vice President of Planning, Budget, and Finance, in consultation with the Office of General Counsel, shall review the disputed records and the parties' written submissions. The Vice President of Planning, Budget, and Finance will send a written decision on the appeal within ten business days after the receipt of the notice of appeal.

**5.3.3** Appeal deadlines may be extended upon agreement of the requestor and the GRAMA Office or at the sole discretion of the GRAMA Office if the extension is allowable under GRAMA. The agreement shall be communicated in writing.

**5.3.4** The Vice President of Planning, Budget, and Finance's written decision on the appeal concludes the University's appeal process. The written appeal decision shall direct the requestor to the Utah Government Records Ombudsman for further information on appeals in accordance with Utah law.



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<b>POLICY HISTORY</b>		
<b>Date of Last Action</b>	<b>Action Taken</b>	<b>Authorizing Entity</b>
April 9, 2009	Approved for Policy Manual.	UVU Board of Trustees
January 27, 2022	Revised policy approved for Policy Manual.	UVU Board of Trustees