

West Virginia University Parkersburg Board of Governors

POLICY A-56
WEST VIRGINIA FREEDOM OF INFORMATION ACT

Section 1. General

- 1.1 Purpose. - To establish a West Virginia University Parkersburg Board of Governors policy regarding requests made for public records pursuant to --the West Virginia Freedom of Information Act, W. Va. Code § 29B-1-1, et seq. (WVFOIA).
- 1.2 Authority. - [W.Va. Code § 18B-1-6](#); [W.Va. Code § 29B-1 et seq.](#)
- 1.3 Scope. - This policy applies to all employees of West Virginia University Parkersburg who at any time may receive WVFOIA requests or who have access to responsive materials.
- 1.4 Effective Date. – October 22, 2024 (Replaces version dated May 25, 2011)

Section 2. Definitions

- 2.1 Public Record. – A public record is any writing containing information relating to the conduct of the public's business, prepared or received by a public body. (W.Va. Code § 29B-1-2(4))
- 2.2 Writing. – A writing is defined as any book, paper, map, photograph, card, tape, recording or other documentary materials regardless of physical form or characteristics. (W.Va. Code § 29B-1-2(5))
- 2.3 Exemptions. – Those records which the institution could withhold pursuant to W. Va. Code § 29B-1-4(a).
- 2.4 Custodian. – The appointed official charged with administering a public body. For West Virginia University Parkersburg, the “custodian” is the institution’s President (or designee) (W. Va. Code § 29B-1-2(1)).
- 2.5 Public Body. – Every State officer, agency, department, division, bureau, board, commission, council, or agency thereof and any other body which is created by State authority or which is primarily funded by State authority. West Virginia University Parkersburg is a “public body” subject to WVFOIA. (W. Va. Code § 29B-1-2(4))

Section 3. Policy

- 3.1 The West Virginia Freedom of Information Act is a state law that allows any person to inspect, view or copy any public record. As a public body, West Virginia University Parkersburg will respond to all requests for public records made pursuant to WVFOIA in accordance with its obligations under the law.
- 3.2 WVU Parkersburg may establish fees reasonably calculated to reimburse it for its actual cost in making reproductions of records requested pursuant to WVFOIA. However, WVU Parkersburg will not charge a search or retrieval fee or otherwise seek reimbursement based on a man-hour basis as part of costs

associated with making reproduction of records. A schedule of such fees shall be published on the WVU Parkersburg web page in the college's [procedures](#) for implementing this policy.

- 3.3 Some records in the possession of a public body are statutorily exempt from disclosure under WVFOIA. However, WVU Parkersburg recognizes that there is a presumption of public accessibility to all public records and that it has a duty to construe such exemptions narrowly so as to carry out the purpose of the Act.

Section 4. Responsibility for Application/Development of Procedures

- 4.1 Responsibility for application of this policy, as well as the development of specific [procedures](#), rests with the President of the institution.