



Title: #VII-8. Procedure Regarding Freedom of Information Act (WVFOIA) Requests

Date: July 22, 2024 (Replaces version dated April 19, 2011)

This procedure is established in accordance with Board of Governors [Policy A-56](#), "West Virginia Freedom of Information Act," and applies to all employees of West Virginia University Parkersburg who at any time may receive WVFOIA requests or who have access to responsive materials.

A. Receiving a WVFOIA Request

Any employee of WVU Parkersburg who receives a WVFOIA request must, **immediately** upon receipt of the request, deliver the request to the President.

1. Any employee, upon receipt of a WVFOIA request, must immediately review records to identify potentially responsive Public Records. All records identified as responsive to the request must be sent to the Office of the President as soon as possible but no later than 72 hours from receipt of the request, excluding Saturdays, Sundays, and legal and/or college holidays, unless otherwise instructed by the President or the President's designee.
2. The WVFOIA, generally, does not require the creation of Public Records; thus, employees shall **not** create Public Records without the consent of the President or the President's designee.
3. The President or the President's designee shall review all responsive Public Records prior to their release to the public.

B. Responding to a WVFOIA Request

WVFOIA mandates that upon receiving a request for Public Records, WVU Parkersburg shall do one or more of the following, within a maximum of five business days of receipt, not including Saturdays, Sundays, and legal and/or college holidays:

1. Furnish copies of the requested Public Records;
2. Advise the person making the request of the time and place at which he or she may inspect and request copies of the Public Records during business hours;
3. Deny the request, in whole or in part, stating in writing the reasons for such denial;

4. Request clarification of the WVFOIA request; or
5. Request an extension of time within which to fulfill the WVFOIA request.

All requests for Public Records made pursuant to WVFOIA must state with reasonable specificity the records sought.

For the purposes of this procedure, the five business day response period shall begin on the first business day after the request is received if receipt is during regular business hours. Regular business hours are Monday through Friday, 8:00 a.m. to 4:00 p.m.

Under normal circumstances, WVU Parkersburg shall provide responsive Public Records in paper format. If the person or entity making the request seeks responsive Public Records in magnetic, electronic or computer format and the requested Public Records exist, at the time of the request, in magnetic, electronic or computer format, WVU Parkersburg shall provide the requested Public Records in the requested format.

If a Public Record exists in magnetic, electronic or computer format, and requires the removal or redaction of statutorily exempted information, WVU Parkersburg will not provide those Public Records in magnetic, electronic or computer format unless agreed to by the President or the President's designee.

The President or the President's designee shall determine whether any record may not be disclosed pursuant to [W.V. Code § 29B-1-4\(a\)](#).

C. Fees

The person making the request shall pay all fees to WVU Parkersburg prior to the release of the Public Records.

1. WVU Parkersburg will not charge fees to persons only **viewing** the responsive Public Records.
2. For all Public Records requests which result in 10 pages or less of responsive Public Records, **or** which exist, without the need for redaction, in magnetic, electronic or computer format, WVU Parkersburg will not charge a fee to the requester. Records available in magnetic, electronic or computer format which require redaction will be provided as paper records and WVU Parkersburg may charge a reasonable fee for such production in accordance with Board of Governors [Policy A-56](#) and this Procedure.
3. For all Public Records requests which result in more than 10 pages of responsive Public Records, WVU Parkersburg has established \$0.50 per black and white page fee of responsive Public Records copied.

4. A minimum fee of \$25.00 shall be charged per Flash media provided to the person or entity making the request.

These fees are reasonably calculated to reimburse WVU Parkersburg for the actual cost in making reproductions of the requested Public Records.

All responsive Public Records will be sent by electronic mail or regular United States mail. If the requester requests an alternate delivery method, such as priority or overnight delivery, the President or President's designee shall deliver the responsive Public Records via the requested alternate delivery method and shall bill the requestor the actual cost of shipping.

Responsible Administrator: President, 304-424-8200