

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS

PUBLIC INFORMATION ACT POLICY
Quick Reference Guide

Allegany College of Maryland's FOIA Policy applies to all records, data, information, documents, reports, and the like which are possessed by the College in furtherance of its institutional purpose in the regular course of business unless the item(s) sought satisfy an identified exception:

- the information is protected by laws and/or regulations;
- the information is protected by legally recognized confidentiality/privilege;
- the information is protected as personally identifiable information (PII);
- the information constitutes intra-college communications;
- the information is related to an investigation including but not limited to student discipline, employee discipline, and/or Title IX;
- the request seeks information protected by ADA/504;
- the information's release creates a foreseeable and likely safety risk for the College or any person;
- the information's release causes substantial injury to the public interest;
- the request is vague or item(s) is non-existent
- the request is contrary to an order of a court of record; or
- ACM's legal counsel issues written advisory against release of the information.

No requests shall be approved if the information is to be used for commercial purposes.

Private property of an employee or student is not covered by this policy.

Private communications of an employee or student is not covered by this policy.

Personal records of an employee or student is not covered by this policy.

ACTION STEPS:

- 1.) Is the information available via existing publications, the College's website, and/or other sources readily available to the public? If so, then the College employee shall refer the person to that resource. If not, the person shall submit a written request to the College's FOIA officer or his/her designee. The request shall sufficiently describe the information sought to enable the College to efficiently respond to the request.
- 2.) Any College employee who receives a request shall promptly forward the request to the FOIA officer. Applicants are encouraged to use Allegany College of Maryland's FOIA request form whenever possible; Per Maryland law, requests may be required to be submitted by first class postal mail.
- 3.) The FOIA officer shall either (a) comply with the request *or* (b) forward the request to the appropriate administrator, department head, or program chair deemed to be the custodian of the information. The custodian will ensure the requested information is obtained (or otherwise made available to the applicant) and forwarded to the FOIA officer in a timely manner.
*ACM will respond to the request no later than thirty (30) days from its receipt by the FOIA officer. Where additional time is needed, the FOIA officer will notify the applicant *before* the expiration of thirty (30) days and provide the applicant of an estimated date the information will be available. In complying with the request, the custodian shall ensure that no extraneous and/or exempt information is provided/made available. Where redacting is necessary, the custodian will provide a written explanation.
*Costs: Allegany College of Maryland reserves the right to charge necessary or nominal fees to cover costs related to research, duplication, assembly, postage, staff consultation, legal consultation, etc. The first two hours of research/compilation may not be billed. Costs incurred shall be identified at the time of billing. Payment in full is due by the applicant within thirty (30) days. An applicant who can demonstrate a financial inability to pay may request a fee waiver; waivers will be approved/denied on a case-by-case basis by the President.
- 4.) If the information requested cannot be released pursuant to one of the exceptions listed above, the FOIA officer shall promptly notify the person – in writing – no later than 30 days after receiving the request. The denial shall state the reason for the denial and describe the appeal process.