

West Virginia University at 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 at Parkersburg Board of Governors policy regarding requests made for public records pursuant to Chapter 29B of the West Virginia Code--the West Virginia Freedom of Information Act (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 at Parkersburg who at any time may receive WVFOIA requests or who have access to responsive materials.

1.4 Effective Date. – 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, owned and retained 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, in consultation with general counsel, could withhold pursuant to W. Va. Code § 29B-1-4(a).

2.4 Custodian. – The institution’s President (or designee) shall be the Custodian as defined by W. Va. Code § 29B-1-2(1).

**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 that is prepared, owned and maintained by a public body. As a public entity, West Virginia University at Parkersburg will respond to all requests for public records made pursuant to WVFOIA in accordance with its obligations under the law.

3.2 WVU at Parkersburg may establish fees reasonably calculated to reimburse it for its actual cost in making reproductions of records requested pursuant to WVFOIA. A schedule of such fees shall be published on the WVU at Parkersburg web page in the college’s [procedures](#) for implementing this policy.

3.3 Some records in the possession of a public body are specifically exempt from disclosure under WVFOIA.

3.4 The Special Assistant to the President serves as the college's WVFOIA Officer and is located within the Office of the President. The WVFOIA Officer shall, in consultation with general counsel, ensure compliance with the WVFOIA, this policy and any related procedures.

3.5 All WVU at Parkersburg employees are obligated to comply with the directives of the college WVFOIA Officer.

#### **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.