



GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT COMPLIANCE POLICY

OPERATING | 500.549

Last Reviewed

7/17/2023

Executive Staff Approval

12/4/2023

Board Approval

12/20/2023

1. Policy Purpose

To ensure compliance with Utah's Government Records Access and Management Act (GRAMA), UCA 63G-2-101.

2. Policy Statement

Mountainland Technical College is committed to following the law and providing transparency that fosters good governance and public trust.

3. Definitions

FERPA - The Family Education Right and Privacy Act [20 U.S.C. § 1232g: 34 CFR Part 99](#)) is a federal law in the United States that governs the privacy and access rights of students' educational records. FERPA serves several important purposes: privacy protection for students and their families, access rights for students to their educational records, and consent requirements for the release of records:

GRAMA - The Utah Government Records Access and Management Act is a critical piece of legislation in Utah that balances the public's right to access government records with the need to protect sensitive information. It plays a significant role in ensuring government transparency, accountability, and the proper management of records within the state.

Records - Any recorded information, regardless of its physical or digital format, that an organization creates, receives, maintains, or uses in the

course of its business or activities. Records can include documents, emails, files, and any other information that needs to be preserved for legal, operational, or historical reasons.

Public Records - Public records are records created or maintained by the college as part of its official functions. These records are typically accessible to the public, subject to certain exceptions and restrictions, as defined by laws like GRAMA. Public records are often considered government property and are subject to disclosure requests from the public.

Private Records - Private records are records that are not created or maintained by a government agency or public institution. They are typically associated with private organizations or individuals and are not subject to public records laws. Private records are generally not accessible to the public, and access to them is typically determined by the policies and practices of the entity or individual that owns and maintains the records.

4. References

UCA 63G-4-1, [Utah Administrative Procedures Act \(UAPA\)](#)

UCA 63G-2, [Utah Government Records Access and Management Act \(GRAMA\)](#)

3. Policy

As a public higher education institution, Mountainland Technical College provides public records and information as directed by the *Utah Government Records Access and Management Act (GRAMA)*.

4. Procedure

4.1 Requests for Records

Requests for access to the college's public records may be submitted, in writing, to the college's GRAMA Officer at: grama@mtec.edu or 2301 W Ashton Blvd., Lehi, Utah 84043

4.1.1 Exception to GRAMA Process

Generally, the subject of a record or a requester in possession of a written notarized release from the subject of a private record may bypass this procedure and request access directly to the

department within the College that maintains custodial responsibility for the record, if such knowledge is available; e.g., student records governed by the Family Education Rights and Privacy Act of 1974 and personnel records.

4.2 Appeal

Records requestors who have been denied access by the GRAMA Officer may appeal, in writing, that determination within thirty (30) days to the college's Vice President of Administrative Services.

4.3 Requests to Amend a Record

4.3.1 Requesting a Record Amendment

4.3.1.1 An individual may contest the accuracy or completeness of a document pertaining to him or her pursuant to UCA 63G-2-603. Such requests should be made to the GRAMA Officer.

4.3.1.2 The GRAMA Officer will research the request and make a determination to change the record or deny the request.

4.3.2 Appeals of Requests to Amend a Record

4.3.2.1 If the request is denied, an appeal of the request to amend a record shall be handled as an informal hearing under the Utah Administrative Procedure Act. Appeals may be filed with the GRAMA Officer.

4.4 GRAMA Administration

4.4.1 The president shall appoint a GRAMA Officer for the care, maintenance, scheduling, disposal, classification, designation, access, and preservation of GRAMA requests and associated records.

4.5 Fees

4.5.1 GRAMA, which governs all government records, and FERPA, which governs student records, provides for the charging of reasonable fees to cover actual costs of duplicating, summarizing, compiling, or tailoring of the requested record if the preparation of the record requires the formation of the record that is other than what is currently maintained by the College. The College may require payment of outstanding fees be paid before processing the request.

4.5.1.1 Records that require research and re-formatting different from the record currently retained by the College will be charged a fee of \$25 per hour.

4.5.1.2 Additional copies of other records are \$0.20 per page. This covers the cost of materials and equipment.

4.5.2 Fee Waiver: All requests for waiving fees must be submitted to the appointed GRAMA Officer via email at grama@mtec.edu. Fees for duplication and compilation of a record can be waived under certain circumstances described in Section 63G-2-203(4). Waiving of fees is at the sole discretion of the GRAMA Officer.

4.5.3 An official transcript of a student's academic record is \$5.00 per copy, including mailing.

4.6 Conflict between Mountainland Technical College's policy and GRAMA

In the event of conflict with a provision of this policy and Utah's Government Records Access and Management Act (GRAMA), the provisions of GRAMA will apply.

5. Revision History

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