

Article II: General Operations
Section A: Rights and Freedoms
Policy 010: Freedom of Inquiry and Expression

II.A.010: The College services patrons by providing programs of learning which enable students to pursue and achieve their educational and vocational goals. Free inquiry and free expression are indispensable to the search for truth, and the development of the student depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the community. In order for the College to provide conditions which are conducive to the effective performance of its purpose, the RCC Board acknowledges a commitment to those purposes and to the principles of democratic freedom for itself and others.

The College recognizes public expression in the form of freedom of speech as a fundamental right of all individuals, and as an essential element for the formation of ideas on college campuses. For this reason, any individual or group may use designated public forum areas in order to exercise this constitutionally protected right. Discussion and expression of all views within RCC shall be limited only by civil and criminal law.

Members of the campus community shall have the right to freely and peaceably assemble and demonstrate in accordance with the exercise of constitutional rights, so long as such activity does not impede the rights and freedom of others. In order to protect the fundamental right to freedom of speech, while assuring that the College is fulfilling its educational mandate, the administration may define time, place, and manner provisions by establishing designated public forums areas. Individuals and groups who utilize the public forums have an obligation to follow all college policies and administrative procedures, local ordinances, state, and federal laws. While it is the College's intention to assure maximum use of its facilities for the purpose of free expression, groups must register with the vice president, Student Services (Redwood Campus) and the dean, Student Services (Riverside and Table Rock campuses) to utilize designated public forum areas. This will ensure space is available for assembly at a specified date and time.

RCC employees and students shall have the right to be interviewed on campus by any lawful organization desiring to recruit at the College. College employees and students may protest against any such organization provided that the protest does not interfere with any other individual's right to have an interview, and does not interfere with the privilege of the recruiting personnel to hold said interview.

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Policy 020: Distribution of Information

II.A.020: With the exception of materials from RCC-sponsored programs, all posted materials on college premises require prior authorization of the administration. Authorization for these activities shall be based on established administrative procedure on distribution of information. All college-published and college-financed communications, in which editorial comment is included shall explicitly state on the editorial page or in the broadcast that, "the opinions expressed are not necessarily those of the College, employees, the student government, or the student body."

Article II: General Operations

Section A: Rights and Freedoms

Policy 030: Public Records Requests

II.A.030: Pursuant to Oregon Revised Statutes, every person has a right to inspect any non-exempt public record. Student records are *not* public records.

Public record means “any writing containing information relating to the conduct of the public’s business that is prepared, owned, used, or retained by a public body regardless of physical form or characteristics, including, but not limited, to, handwriting, typewriting, printing, photographing, and every means of recording, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, files, facsimiles, or electronic recordings.”

Inspection and copying of a public record shall be done during regular business hours at the office where the record is located, or another facility designated by the College. College records shall not leave college premises for the purposes of public record disclosure. The College may directly supervise the inspection or copying of college records, may list records inspected or copied by or at the request of a requestor, and may contemporaneously copy for the college’s own purposes records inspected or copied by, or at the request of the requestor. The College may provide a copy of a record in lieu of the original to protect the original record. The College may provide a redacted copy in lieu of an original record in order to delete exempt materials.

Informal Requests: The first type of public records request is one that is verbally submitted by the requesting party for records that are incidental, readily accessible or reproducible at negligible cost, and are typically available for general public distribution.

Formal Requests: All other public records requests must be submitted in writing and will be granted or denied in accordance with Oregon Public Records Law.

Any party requesting a fee reduction or waiver shall fully cooperate with the College in identifying the reason(s) for the request. In order to determine whether or not the requested public records are exempt from disclosure, quality for fee reduction or waiver, or if the documents meet the “public interest test,” (ORS 192.440(5) requesting party/parties must fully disclose their intended purpose of the request. Each request must reasonably describe the records being sought. This means that a request must be specific enough to permit a College staff person who is familiar with the subject matter to locate the record in a reasonable period of time.

Requesting parties shall pay a deposit of \$25 at the time of submitting their public records request to the College. Any overpayments to the College by the requesting party will be promptly refunded after the nonexempt public records are disclosed to the requesting party. Deposit must accompany a completed and attached Public Record(s) Request Form. The form and deposit may be mailed to the College, Attention: Chief Financial Officer, 3345 Redwood Highway, Grants Pass, OR 97527-9291.

The College requires the requesting party make payment to the College for the balance of the reasonable costs over and above the \$25 deposit, prior to the release of the public records. These reasonable costs shall include, but are not limited: actual personnel costs; reproduction costs; delivery expenses; preparation and release of a condensed version of significant facts that are not otherwise exempt from disclosure (ORS 192.502(9)(b)) for public records created on or after June 20, 2007, and attorney's fees, if any, for reviewing, redacting or segregating the public records into exempt and nonexempt records.

Pursuant to ORS 192.440, the College shall provide the requesting party with an estimate, in writing, if the public records request is expected to exceed \$25. After receiving the estimate, requesting party shall notify the College whether it wants the College to proceed with making the public records available. After providing a written estimate of the fees the requesting party must pay as a condition of receiving the records, the College *may* require written confirmation that the requesting party wants the College to proceed with making the public record available. The College *may* require that the fees be paid by the requesting party before the College dedicates its resources to the preparation, replication, and release of the requested non-exempt public records.

Requesting party shall be charged at the rate(s) established below:

If the public records request requires a nominal amount of staff time (less than 30 minutes), which includes: searching; locating; retrieving; copying; transporting; summarizing; compiling; tailoring; and preparation and release of a condensed version of significant facts that are not otherwise exempt from disclosure; copies shall be made at no charge unless the number of copies requested exceeds 10 pages.

Records that require only a nominal amount of staff time (less than 30 minutes) but the number of copies exceeds 10 pages, shall be charged for the actual cost of staff time, including fringe benefits, plus: copying/delivering charges; charges for summarizing; compiling; tailoring; and preparation and release of a condensed version of significant facts that are not otherwise exempt from disclosure; and attorney's fees, if any, for reviewing, redacting or segregating the public records into exempt and nonexempt records. Copying charges shall be at the rate of \$.010 (ten cents) per page for black and white.

Records that require more than a nominal amount of staff time (30 minutes or more), will be provided to the requesting party for the same services as listed above for nominal amounts, but copy charges shall be at the rate of \$0.10 (ten cents) per page for black and white and \$0.75 (seventy-five cents) per page for color. Personnel costs shall be computed on the basis of quarter-hours, rounded up, for time expended by College staff and/or College's attorney(s). Attorney fees, if any, shall be limited to the cost of time spent by attorney(s) for College in reviewing the public records, redacting material from the public records or segregating the public records into exempt and nonexempt records.

The fee may be waived or reduced if the furnishing of the copies is determined by the College to be in the public's best interest as set forth in ORS 192.440(4)(5).

The College may charge for search time even if the custodian of the record fails to locate any records in response to the request, or even if the records located are subsequently determined to be exempt from disclosure. When the amount of staff time used exceeds the amount of the \$25 deposit, the requesting party's deposit shall be forfeited.

In most cases, the College will be able to respond to the request for public records within 21 (twenty-one) working days. While the College shall make every attempt to respond to the request within this timeframe, requests shall not affect the operations of the College nor interfere with the regular discharge of the custodian's duties.