

Frequently Asked Questions

What is a "public record"?

A public record is a writing kept by a public body that contains information relating to the conduct of the public's business. Most public records can be disclosed, but some records and some specific details within records are exempt from disclosure under the Oregon Public Records Law and/or other state or federal privacy laws.

Who can make a public records request?

Any person, whether representing themselves or any other organization, has a right to request and review any public record of an Oregon public body if that record is not exempt from disclosure.

How do you make a public records request?

Public records requests may be made to [request/check status online](#), by email, letter, or telephone (although it is preferable to make requests in writing). The request should clearly describe the records being requested. No special form or language is required. Our office may follow-up with the requester to get more information to help us identify the records being requested.

How long does it take to get a response?

The university responds to a public records request "within 5 business days of the request" as required by law. University records are highly decentralized which can add more time to the process of gathering documents if they are from multiple parts of the university.

Do you have to pay for public records?

As allowed under Oregon Revised Statute (ORS) 192.440, the Office of Public Records charges for the actual cost of making public records available. This includes all staff time involved (calculated based on hourly rate of pay and benefits), a per-page fee for photocopies, and any mailing or delivery charges. Staff time includes locating, gathering, reviewing, summarizing, compiling, reviewing, monitoring (if a request is made to inspect records on-site), tailoring, copying or redacting the public records in response to a request. Our office provides the requester with an estimated total cost, and begins work when payment is received. In some circumstances, upon petition by the requester, the university may reduce or waive certain fees.

What public records are exempt from disclosure?

Some public records can be conditionally or unconditionally exempt from disclosure, depending on the nature of the record. The reasons for exemption vary but are always provided by either state or federal law, and are often related to protecting personal information of students, employees, or other individuals. Where permitted by law, some public records containing both exempt and non-exempt material may be separated or redacted and the nonexempt material made available. For more information on the legal context in which exemptions or redactions are made, the text of ORS 30.864 and a 2011 Oregon Department of Justice Opinion on FERPA and Public Records might be helpful.

30.864 Action for disclosure of certain education records; limitation of action; attorney fees.

(1) Any person claiming to be aggrieved by the reckless disclosure of personally identifiable information from a student's education records as prohibited by standards issued by the State Board of Education, the State Board of Higher Education or the governing board of a public university with a governing board listed in ORS 352.054 may file a civil action in circuit court for equitable relief or, subject to the terms and conditions of ORS 30.265 to 30.300, for damages, or both. The court may order such other relief as may be appropriate.

(2) The action authorized by this section shall be filed within two years of the alleged unlawful disclosure.

(3) In an action brought under this section, the court may allow the prevailing party costs, disbursements and reasonable attorney fees.

Where can you get a copy of Oregon's Public Records Law?

[Oregon Public Records Law](#) addresses fees at ORS 192.440 and exemptions at ORS 192.501 and ORS 192.502. Another helpful resource is the [Oregon Attorney General Public Records and Meetings Manual](#).