

Policy Name:	Right to Know Policy
Policy Number:	OCC 110.4
Effective Date:	November 28, 2016
Applies To:	All PHRC Employees, Contractors, and Service Providers
Responsible Office:	Office of Chief Counsel

1. Purpose

To establish a standardized procedure for the execution and tracking of right-to-know requests (RTKs) by the Pennsylvania Human Relations Commission (PHRC) from the public. This procedure is in compliance with all Commonwealth protocols, directives, and issued orders. The purpose of this document is to establish the following policy, as provided by Section 504 of the Pennsylvania Right to Know Law.

2. Scope

This policy applies to all divisions of the Pennsylvania Human Relations Commission, especially those tasked with fulfilling RTKs. Section 702 of the Right to Know Law provides that only written requests are entitled to the various rights and remedies provided in the Right to Know Law.

Section 703 of the Right to Know Law provides that a written request "should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested and shall include the name and address to which the agency should address its response." The request shall also contain a statement that the requester is a legal resident of the United States. The request should, but need not, include a telephone number where the requester may be reached, should any questions arise about the request.

The Commission may, in its sole discretion, choose to fulfill verbal or anonymous requests for records.

The PHRC and Pennsylvania Office of Open Records have established Standard Right to Know Request Forms. Requests received on either form will be accepted for processing.

3. Definitions

Right-to-Know Request - A formal written request made under the Pennsylvania Open Records Act and the Pennsylvania Right to Know Law for information from the Government that may not normally be publicly available.

Agency Open Records Officer - Assigned by Executive Director to handle all Right to Know Requests.

Office of Chief Counsel - serves as the PHRC's central legal authority overseeing all legal functions including Right to Know Requests.

4. Responsibilities

The agency and staff must maintain compliance with both the RTK legal framework under state and federal law. All PHRC staff must follow RTKL requirements including timely responses, proper redaction of exempt information, and documentation of all written requests in accordance with statutory record-keeping obligations.

5. Procedures

A written request for records shall be submitted either in person, by mail, email, or fax to:

Agency Open Records Officer
Pennsylvania Human Relations Commission Executive Offices
555 Walnut Street, Suite 808 | Harrisburg, PA 17101
Phone: 717-787-9536 | Fax: 717-787-0420
Email: RA-RTK_PHRC@PA.GOV

All written RTK requests will be considered received on the next business day if delivered after regular business hours. PHRC business hours for RTK processing are Monday through Friday, 8:30 a.m. to 5:00 p.m., excluding weekends and agency-recognized holidays.

Presumption of Openness

Under the Right-to-Know Law, all records held by PHRC are presumed to be public unless they fall under an exemption, are protected by privilege, or are restricted by state or federal law. PHRC bears the burden of proving any denial or redaction.

Response Time Requirements:

PHRC will respond to written RTK requests within 5 business days of receipt. If additional time is required under Section 902 of the RTKL (e.g., records in remote storage, voluminous requests, staffing limitations, legal review, or required redactions), PHRC may invoke a single 30-day extension and will issue written notice identifying the specific reasons for the extension. Failure to respond within the required timeframe will result in a "deemed denial."

If all or part of a request for records is denied, appropriate notification will be provided as required under the requirements of the Right to Know Law.

Appeals

If a request is denied or deemed denied, the requester may file an appeal within 15 business days to the Pennsylvania Office of Open Records. Appeal instructions will be included in the PHRC's response.

You may reach the Pennsylvania Office of Open Records by contacting:

Liz Wagenseller, Executive Director, Office of Open Records
555 Walnut Street, 6th Floor | Harrisburg, PA 17101

Phone: 717-346-9903 | Fax: 717-425-5343
E-mail: openrecords@pa.gov

Posting Requirements

In accordance with Section 504(b) of the RTKL, PHRC will publicly post its RTK policy, Agency Open Records Officer contact information, appeal information, and RTK request forms on the PHRC website and make these materials available at PHRC Executive Offices.

The following fees apply to the release of all other public records not obtained through a RTK:

- Fee per page for paper duplication 25 cents
- Fee per printed 8 ½" x 11" page equivalent for duplication on disk in Portable Document Format (pdf) 25 cents
- In Rich Text format (certain features of original may be lost) 25 cents per page
- Postage charges shall not exceed the actual cost of mailing Fee for certification of copies - \$5.00 per record or group of records certified as one record (provided only if specifically requested by the requester for the purpose of legally verifying the public records)
- Fee for cost of labor and materials is included in per page price. Fees are waived if the total cost is less than \$1.

Record Creation, Format and Redaction

PHRC will provide records in the format maintained by the agency. When records exist electronically, PHRC will provide electronic access when feasible. PHRC is not required to create new records but will compile, extract, or format data when required under Section 705.

Where records contain both public and exempt material, PHRC will redact exempt portions in accordance with Section 706 and provide the remainder of the record with written explanation of the redaction basis.

Fees

A variety of commission public records (i.e., Public Hearing Final Orders and Public meeting minutes) may be viewed and printed directly from the commission's website at www.phrc.pa.gov. The commission does not charge a fee for viewing or printing records from the website and permission to print records is not necessary.

There is also no fee for various pamphlets, brochures, and other informational publications available on the website. A limit may be placed on the number of free hard copies of any one publication.

Regarding PHRC investigative case files, these records are exempt from Right to Know Law under exemption 708(b)(17) A record of an agency relating to a non-criminal investigation.

The Commission, through its Office of Chief Counsel, will only authorize the release of investigative case files upon receipt of service of a valid, court-issued subpoena. Subpoenas must be served in the manner proscribed by the relevant rules of civil procedure at:

Office of Chief Counsel
Pennsylvania Human Relations Commission
555 Walnut Street, 8th Floor, Harrisburg, PA 17101.

6. Pennsylvania Sunshine Act Compliance

PHRC recognizes that certain public records, including meeting agendas, minutes, and actions relating to public meetings, overlap with requirements under Pennsylvania's Sunshine Act. PHRC will ensure public access to meeting notices, agendas, and minutes as required by the Sunshine Act, including:

- Advertising regular meetings at least 72 hours in advance and special/rescheduled meetings at least 24 hours in advance.
- Making minutes available to the public within a reasonable timeframe following approval.
- Allowing public participation at meetings where official action is taken, except where executive sessions are permitted by law.

Approval

Print Name & Title	Office	Signature & Date
<i>Stephanie Chapman, Interim Chief Counsel</i>	Office of Chief Counsel	/s/ Stephanie Chapman September 15, 2026
<i>Amber J.E. Harris, Interim Executive Director</i>	Executive Office	 /s/ Amber J. E. Harris September 16, 2026
<i>Desireé Chang, Deputy Executive Director</i>	Policy, Intergovernmental Affairs	/s/ Desireé Chang September 16, 2026

Document Control**Version Record**

Date	Author	Version	Change
9/15/2026	D.Chang	V2	Added language

Roles

Owner	Author	SME

Related Policies

Name	ID#	Location