

EXCEPTIONS TO THE RIGHT-TO-KNOW LAW

1. LOSS OF FUNDS/PERSONAL SECURITY

Records that, if disclosed, would result in the loss of federal or state funds. Also, records whose release would be reasonably likely to result in substantial and demonstrable risk of physical harm to a person or to his or her personal security.

2. PUBLIC SAFETY

Records that, if disclosed, would be reasonably likely to jeopardize homeland security or public safety or preparedness.

3. INFRASTRUCTURE SECURITY

Records that, if disclosed, would be reasonably likely to endanger the safety or security of a building, public utility, infrastructure or information storage system.

4. COMPUTER SECURITY

Records that, if disclosed, would be reasonably likely to jeopardize computer security.

5. HEALTH RECORDS

Medical, psychological and related records that contain individually identifiable health information.

6. PERSONAL IDENTIFICATION

Records containing all or part of a person's Social Security number; driver's license number, personal financial information; home, cellular or personal telephone numbers; personal e-mail addresses; employee numbers or other confidential personal identification numbers; a spouse's name, marital status, beneficiary or dependent information. Also, records containing home addresses of law-enforcement officers and judges.

7. PERSONNEL RECORDS

Letters of reference or recommendation, unless they involve an appointment to fill a vacancy in an elected office or an appointed office that requires confirmation by the state Senate.

Also, performance ratings or reviews; academic transcripts; state civil-service test results and certain local test results; applications of job applicants who are not hired; work-place support services information; written criticism about a public employee; grievance material; information about discipline, demotion or discharge contained in a personnel file, unless it involves final action by an agency that results in demotion or discharge.

8. COLLECTIVE BARGAINING

Records related to collective-bargaining strategy or negotiations, and exhibits and transcripts in arbitration cases involving collective-bargaining disputes or grievances. Final contracts and arbitration awards are public.

9. DRAFTS

Drafts of bills, resolutions, regulations, policies, management directives and ordinances.

10. DELIBERATIONS

Records reflecting internal, predecisional deliberations of agencies, such as a budget recommendation, a legislative proposal or the strategy for winning approval of such proposals.

(Records requesting state funding or grants or the results of public-opinion polls are public. Also public are documents that are presented to a quorum of a public board for deliberation – such as the packets board members routinely receive – so long as they are not otherwise exempt under the law.)

11. TRADE SECRETS

Records that reveal trade secrets or other confidential proprietary information.

12. WORKING PAPERS

Notes and working papers used by a public official or employee strictly for personal use, such as message or routing slips.

13. DONATIONS

Records revealing the identity of a person who makes a donation to an agency, unless the donation is intended to provide remuneration or other tangible benefit to a public official or employee.

14. UNPUBLISHED ACADEMIC PAPERS

Unpublished lecture notes, manuscripts, articles, creative works, research material and scholarly correspondence related to a community college or state-owned university.

15. ACADEMIC TRANSCRIPTS

Academic transcripts; examinations; examination questions and answers; and examination scoring keys used by schools and licensing agencies.

16. CRIMINAL INVESTIGATIVE RECORDS

Records related to or resulting in a criminal investigation. (Police blotters, private criminal complaints and traffic reports are public.)

17. NON-CRIMINAL INVESTIGATIVE RECORDS

Records related to non-criminal investigations, including complaints submitted to agencies, work papers underlying an audit and records that reveal the identities of confidential sources. (Records of civil fines or penalties, settlement agreements, license revocations or similar decisional documents are public.)

18. 9-1-1 CALLS

Recordings and transcripts of 911 calls, although an agency or court may release these if deemed to be in the public's interest. Time-response logs are public.

19. DNA & RNA

Records containing DNA & RNA information.

20. AUTOPSIES

Contents of autopsy report, except for the victim's name, cause of death and manner of death.

21. MINUTES

Draft minutes of any public meeting until the next scheduled meeting of the agency. Any records of private, executive-session discussions.

22. APPRAISALS & REVIEWS

Records involving real-estate appraisals, engineering estimates, environmental review, audits and other evaluations involving a potential agency lease, acquisition or disposal of real property. Exception ends when a final decision is made.

23. LIBRARY & ARCHIVE USERS

The circulation and order records of an identifiable individual or group.

24. LIBRARY & MUSEUM DONORS

Rare books, documents and other materials contributed by gifts, grants or bequests to the extent imposed as a condition by the donor.

25. ENDANGERED SITES & SPECIES

Records identifying the location of an archaeological site or endangered plant or animal species not already known to the public.

26. CONTRACT BIDS

Proposals for the procurement or disposal of supplies, services or construction before the award of a contract or the opening and rejection of all bids. Also, certain financial information about the bidders.

27. INSURANCE

Records of communication between an agency and its insurance carrier, administration service organization or risk-management office. (Contracts between agencies and these entities are public.)

28. SOCIAL SERVICES

Records identifying people who apply for or receive social services, or disclosing the services they receive and other personal information.

29. CONSTITUENTS

Correspondence between state legislators and their constituents, and accompanying records that identify constituents who request assistance or other services. (Correspondence between lawmakers and lobbyists is public.)

30. MINORS

Records containing the name, home address or date of birth of child who is 17 or younger.

Sources: the Pennsylvania Right-to-Know Law, Pennsylvania Newspaper Association.