The background of the slide is a dark blue-tinted photograph of the Utah State Capitol building at night. The building's dome and classical columns are visible, illuminated by streetlights. A white diagonal line runs from the top left towards the center of the slide.

# **GRAMA Classification Considerations**

Rosemary Cundiff  
August 26, 2020

A photograph of the Utah State Capitol building, showing its classical architecture with columns and a pediment. The sky is blue with some clouds. The building's name "STATE OF UTAH" is visible on the pediment.

# Legislative intent and classification

Three pillars:

- Public right of access
- Public interest in restriction
- Individual right of privacy



# Why public access is important

- Allows public participation in government
- Encourages good records management
- Builds public trust
- Enables people to be better citizens
- Enriches quality of life
- Encourages business and investment
- Helps people make informed decisions
- Makes government accountable
- Exposes corruption
- Protects individual rights



# Why privacy is important

- Protection against identity theft or other crimes
- Enables people to live without scrutiny
- Enables people to feel comfortable about their individual identity
- Provides privacy in relationships
- Enables decisions without undue peer pressure
- Protects against discrimination



# When is restriction in the public interest?

- Protection of government processes such as audits and investigations
- Provide safety for citizens
- Protect a deliberative process
- Enable procurement of legal advice

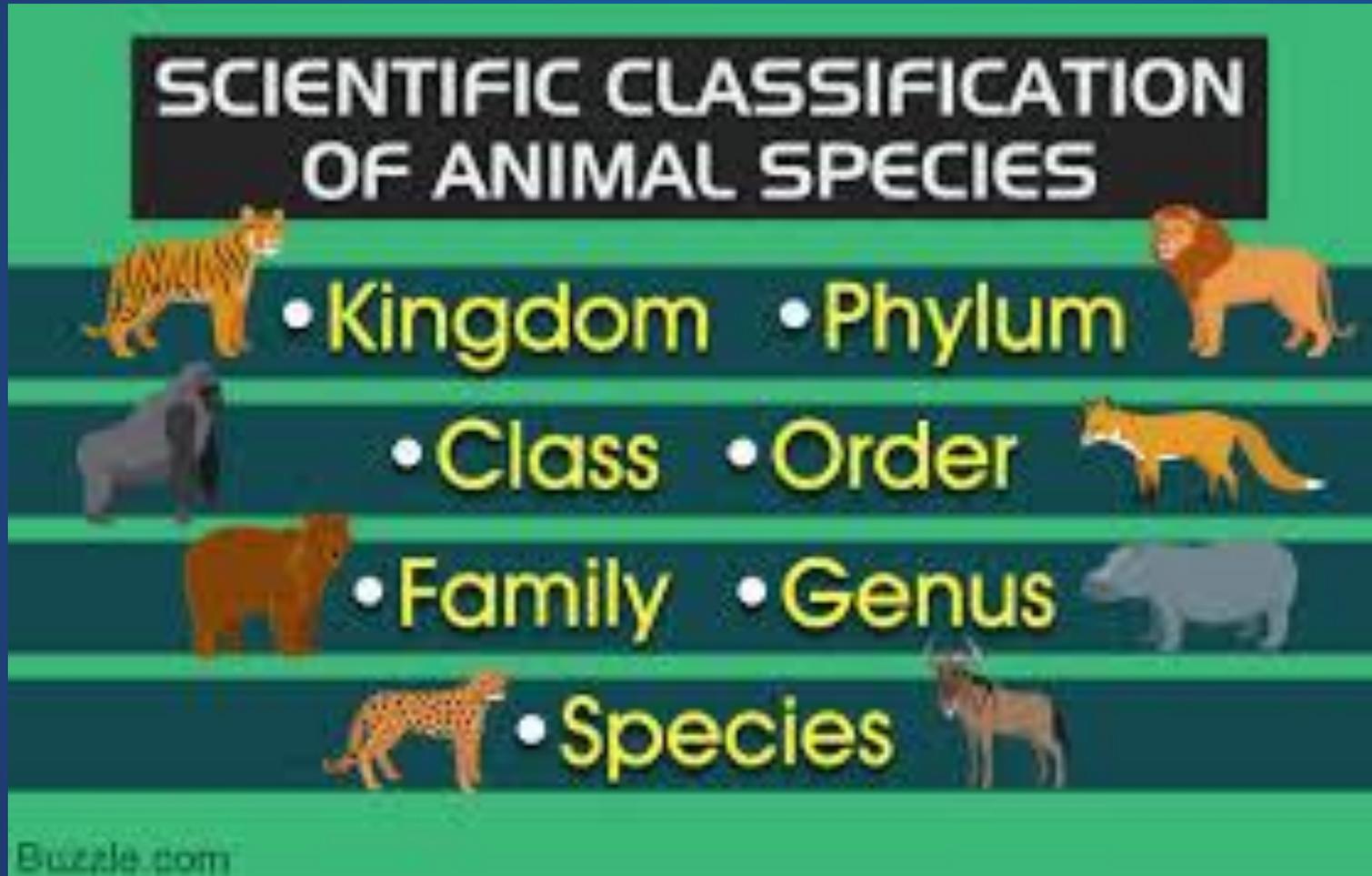
A photograph of the Utah State Capitol building, showing its classical architecture with columns and a pediment. The sky is blue with some clouds. The text 'STATE OF UTAH' is visible on the building's facade.

# Legislative intent and classification

Three pillars:

- Public right of access
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# What is classification?



# What is classification?

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- 63G-2-103(3)
  - Classification means determining whether a record or information is public, private, controlled, protected or otherwise exempt from disclosure.

# What is classification?

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4 classifications in GRAMA:

- Public
- Private
- Controlled
- Protected

+ 1 exemptions based on other statutes

= 5

# Which records are Private?

- 63G-2-103(19)
  - Private records contain data on individuals that is private as provided in section 63G-2-302
- 302(1) “private”



# Which records are Private?

- 63G-2-103(19)
  - Private records contain data on individuals that is private as provided in section 63G-2-302
- 302(2) “private if properly classified”



# Which records are Controlled?

- 63G-2-103(6)
  - Controlled records contain data on individuals that is controlled as provided in section 63G-2-304



# Which records are Protected?

- 63G-2-103(20)
  - Protected record means a record that is classified as protected as provided in section 63G-2-305



# Which records are Public?

- 63G-2-103(21).
- Public record means a record that is not private, controlled, protected or exempt from disclosure based on some other statute.
- 63G-2-301(2) “public”



# Which records are Public?

- 63G-2-103(21).
- Public record means a record that is not private, controlled, protected or exempt from disclosure based on some other statute.

63G-2-301(3) “normally public”



# Other statutes restrict access to records

- HIPAA  
(Standards for Privacy of Individually Identifiable Health Information)
- FERPA  
(Family Education Rights and Privacy Act)

And many more.....





# Classification and Access

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- 63G-2-202(1)
- Private records are available to:
  - subject of the record
  - parents, guardians of children
  - guardians of incapacitated adults
  - an individual how has a notarized release or power of attorney

# Who is responsible for classification?

63G-2-308

Governmental entities responsible to classify their own records.

public

63G-2-103(23)

Classification a records officer responsibility.

PRIVATE

protected

63G-2-108

Records officers are required to be certified.

# How to make classification decisions

63G-2-306

Nothing in 302(2), 304, or 305 requires a governmental entity to classify a record as private, controlled, or protected.

public

PRIVATE

**protected**

# Segregation of Records

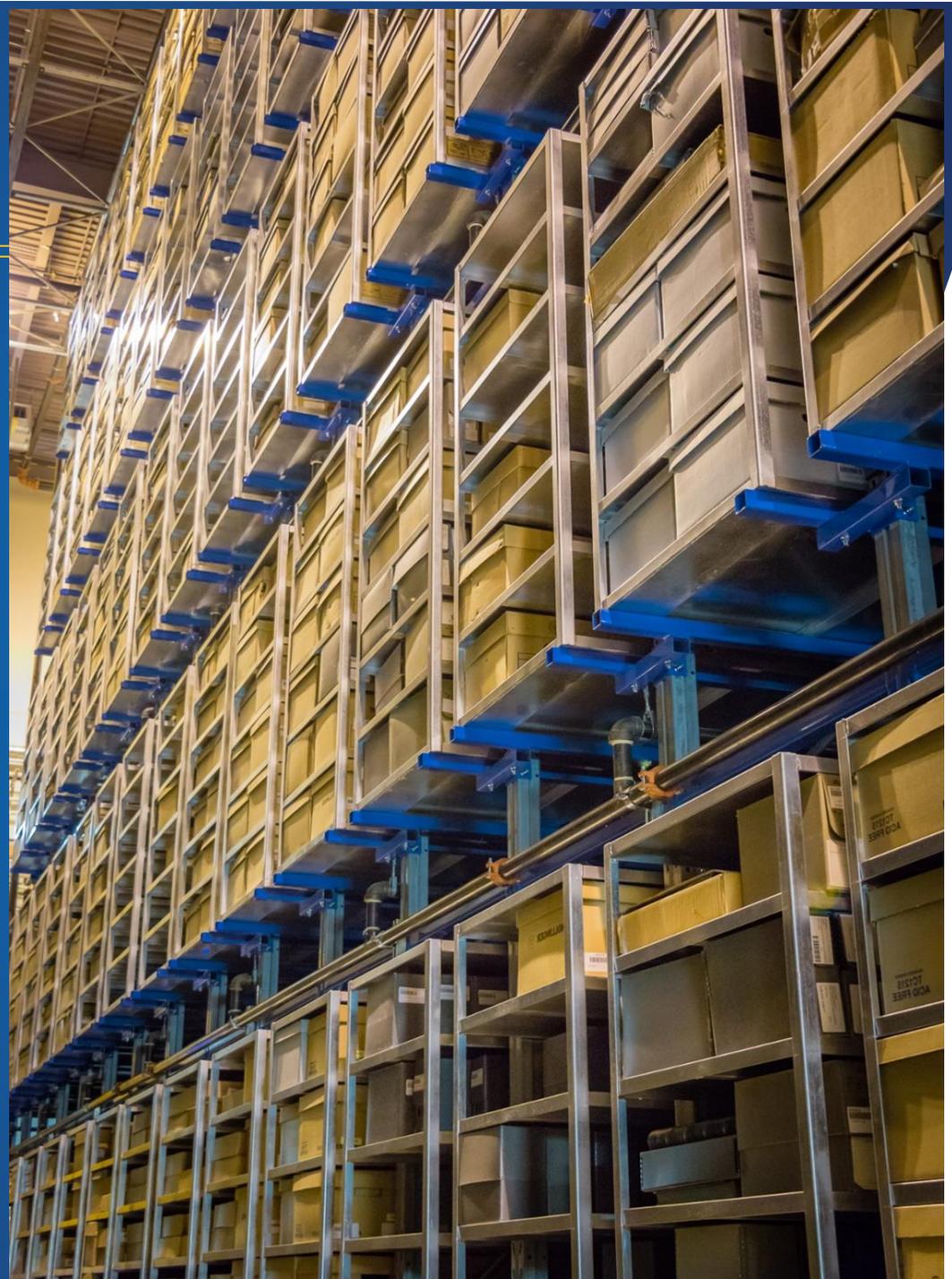
- 63G-2-308
- When a records contain both public and restricted information, government:
  - SHALL allow access to public information and deny access to remaining information
  - remaining information must be intelligible
  - MAY deny access to remaining information and issue a notice of denial

# How long does classification apply?

- 63G-2-310
- Records become public when reason for restricting access no longer exists
  - presumed public after 75 years
  - or after 100 years if subject is 21 years or younger



# Common Classification Questions



# Questions?

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