

### 3-1-5 Public Records

*Adopted 1/25/2018*

*Revised 10/18/2018*

*Revised 01/15/2020*

#### Compliance

The Josephine Community Library District fully complies with the Oregon Public Records Law, ORS 192.410192-505.

- **Specificity of Request:** In order to facilitate the public's access to records in the district's possession, and to avoid unnecessary expenditure of staff time, persons requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with particularity, furnishing the dates, subject matter, and such other detail as may be necessary to enable library staff to readily locate the records sought.
- **Access:** JCLD shall permit inspection and examination of its non-exempt public records during regular business hours in the library's offices, or such other locations as the library director may reasonably designate from time to time. Copies of non-exempt public records maintained in machine-readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained. ORS 192.440(2). When a request is submitted in writing, the district must respond within five business days acknowledging the receipt of the request. The district then has an additional 10 business days to fulfill the request or issue a written response estimating how long fulfillment will take. The district is not subject to this response timeframe if it is awaiting a response from the requestor seeking clarification of the inquiry or if the requestor has not agreed to pay for the records, provided that the cost is \$25 or more. Other considerations that apply are:
  - Complicated requests
  - Large volume requests
  - Requests involving documents not readily available or if the necessary staff are unavailable to fulfill the request

#### Fees for Public Records

JCLD makes every effort to provide records without cost to the requester. However, some requests may require copying or significant amounts of staff time. In order to recover its costs for such requests, JCLD may charge fees associated with searching for and copying records.

The library director may waive these fees at his/her discretion. Fees shall be limited to no more than \$25 unless the requester is provided with written notification of the estimated amount of the fee and the requester confirms that s/he wants JCLD to proceed.

Fees are as follows:

- **Paper copies or printouts:** \$0.15 per side for black and white or \$0.50 per side for color.
- **Copies of nonstandard materials** (for example, maps, videos, sounds recordings): Fees shall be the actual costs incurred by the district plus staff time used to them.
- **Research fees:** If a request requires district staff to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the fee shall be \$50 per hour, charged in 15-minute increments, for any time spent over 15 minutes. The district shall estimate the total amount of time required to respond to the records request and must be paid in advance before the search will proceed. If the actual time and costs are less than estimated, the excess money shall be refunded to the requester. If the actual time and costs are in excess of the estimated time, the difference shall be paid by the requester when the records are produced.
- **Additional charges:** If a request is of such magnitude and nature that compliance would disrupt the district's normal operation, the district may impose such additional charges as are necessary to reimburse for its actual costs of producing the records.
- **Reduced Fee or Free Copies:** whenever it determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the board or library director may so authorize. ORS 192.440(4).

#### **Personally Identifying Information to be Separated or Redacted**

In accordance with ORS 192.338, 192.345, 192.355, and 192.377 JCLD shall separate the exempt and nonexempt records and make the nonexempt records available to the requester. Where necessary, exempt material, including personally identifying information, shall be redacted from any public records requests.

#### **Authorization Required for Removal of Original Records**

At no time shall an original record of the library district be removed from the district's files or the place at which the record is regularly maintained, except upon authorization of the Board of Directors or the library director.

#### **On-Site Review of Original Records**

If a request to review original records is made, JCLD shall permit such a review provided that search fees are paid in advance in accordance with the Fees for Public Records section, above. A representative shall be present at any time original records are reviewed, and the charges for

standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

**Unauthorized Alteration, Removal, or Destruction of Records**

If any person attempts to alter, remove or destroy any JCLD record, the library representative shall immediately terminate such person's review, and notify the attorney for JCLD.