

Policy 1-2	Public Records	Created: 11/12/2015 Revised: 4/08/2021 Approved: 4/8/2021
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I. Compliance

As it values transparency and accessibility, the Jackson County Library District (“District”) fully complies with the Oregon Public Records Law, ORS 192.001-192.513. The Library Director shall oversee the processing of public records requests.

- A. **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:
 - a) Shall make their request in writing, and
 - b) Shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable District personnel to readily locate the records sought.

- B. **Access:** The District shall permit inspection and examination of its non-exempt public records during regular business hours in the District's offices, or such other locations as the District Administrator 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 192.324(3).

- C. **Acknowledgement of Request:** The District has five business days to either (a) acknowledge the request, or (b) complete the request. When acknowledging the request, the District shall do the following:
 - a) Confirm that the District is the custodian of the requested record, or
 - b) Inform the requester that the District is not the custodian, or
 - c) Notify the requester that the District is unsure whether it is the custodian of the requested record.

- D. **After Acknowledgement of Request:** Within an additional 10 business days (for a total of 15 business days after receiving the request), the District must:
 - a) Provide a written statement that the District is still processing the request and provide a reasonable estimated completion date, or
 - b) Complete the request. Complete the request means that the District has done the following:
 - Provided access to or copies of all non-exempt requested records,

- Asserted any exemptions to disclosure,
- Complied with ORS 192.338 —separated exempt from non-exempt material and made non-exempt material available for examination,
- Provided a written statement that the District is not the custodian of record,
- Provided a written statement that federal or state law prohibits the District from acknowledging whether any requested record exists, and
- Told the requester their appeals rights if exemptions were asserted.

E. The time clock pauses when:

- a) The District tells the requester a fee is due to process the request (once paid or waived, the clock resumes), or
- b) The District requests additional information or clarification for the purpose of expediting the District’s response (clock starts once requester provides this information or affirmatively declines to provide it).

F. The time limits do not apply if:

- a) Necessary staff to complete the request are unavailable,
- b) Processing the request would impede other necessary services, or
- c) The volume of requests is too large. However, the District will still acknowledge and complete the request as soon as practicable and without unreasonable delay in these situations.

G. Closing the Request:

- a) The District shall close the request after 60 days if the requester fails to pay fees due or fails to respond to a request for information or clarification.

II. Fees for Public Records

The District 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, the District may charge fees associated with searching for and copying records. Fees shall be limited to actual costs and no more than what is allowed by statute unless the requester is provided with written notification of the estimated amount of the fee and the requester confirms that s/he wants the District to proceed. ORS 192.324(4)(c).

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, sound recordings):**
Fees shall be the actual costs incurred by the District.

- **Research Fees:** If a request for records requires District personnel to spend more than thirty (30) minutes searching or reviewing records prior to their review or release for copying, the minimum fee shall be \$25 per hour and additional charges shall be in quarter hour increments. The District shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.
- **Additional Charges:** If a request is of such magnitude and nature that compliance would disrupt the District's normal operations, the District may impose such additional charges as are necessary to reimburse the District 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 Library Director may so authorize. ORS 192.440(5).

III. Personally Identifying Information

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

IV. Authorization Required for Removal of Original Records

At no time shall an original record of the 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 Library Director.

V. On-Site Review of Original Records

If a request to review original records is made, the District 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.

VI. Unauthorized Alteration, Removal, or Destruction of Records

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

VII. Restrictions

Per the District's Patron Confidentiality Policy, some District records in addition to those delineated in the Oregon Public Records Law are exempt from disclosure or destroyed once they are no longer necessary for District operations. These records include circulation records, records showing use of the District's computer networks, and other records containing personally identifying information about the District's patrons and their library use.