

PUBLIC RECORDS POLICY – **ADOPTED 10/20/2015** – CLACKAMAS SWCD

Compliance

The District shall fully comply with the Oregon Public Records Law, ORS 192.410-192.505.

- **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 District personnel to readily locate the records sought.
- **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's Manager 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).

Fees for Public Records

If estimated fees will exceed \$25.00, the District must provide the requestor with a written estimate and receive written confirmation from the requestor before proceeding with the request.

In order to recover its costs for responding to public records requests, the following fee schedule is adopted by the District:

- **Copies of Public Records; Certified Copies:** Copies of public records shall be 20 cents (\$.20) per copy for standard, letter size copies. Copies shall be certified for an additional charge of one dollar (\$1.00).
- **Copies of Sound Recordings:** Copies of sound recordings of meetings shall be \$5 per blank tape or CD plus the cost of staff or professional time required to make the copy. If the requestor provides the blank recording medium, cost shall be for actual staff or professional time only.
- **Copies of Maps and Other Nonstandard Documents:** Charges for copying maps or other nonstandard size documents shall be based on actual costs incurred by the District.
- **Research Fees:** If a request for records requires District personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the minimum fee shall be \$30.00 per hour and shall not exceed \$50 per hour, and additional charges shall be in ¼ hour increments. The District shall provide an estimate of the time and cost required, and the requestor shall make full payment in advance. If the actual time

and costs are less than estimated, the excess shall be refunded. If the actual costs and time exceed the amount estimated, the difference shall be paid by the requestor before the record(s) will be released.

- **Attorney Fees:** If a public record request requires consulting with an attorney in order to identify or remove documents or information that is exempt from disclosure, the District may charge a fee to the requestor at the attorney's hourly rate to do so.
- **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 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 Board or the District's Manager may so authorize. ORS 192.440(4).

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 Manager of the District.

On-Site Review of Original Records

Within a reasonable time after receiving a request to review original records, and upon advance receipt of any estimated fees, the District shall establish a time for the review in the District office. A District representative shall be present at any time original records are reviewed, and staff time shall be charged accordingly.

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 the review, and notify law enforcement as appropriate.