



# UPPER WILLAMETTE

## SOIL & WATER CONSERVATION DISTRICT

### Public Record Request Policy

#### Compliance

The UWSWCD shall fully comply with the Oregon Public Records Law, ORS 192.311 – 192.499

- **Specificity of Request:** In order to facilitate the public's access to records in the UWSWCD'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 UWSWCD personnel to readily locate the records sought.
- **Access:** The UWSWCD shall permit inspection and examination of its non-exempt public records during regular business hours in the UWSWCD'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 192-324
- **Requests:** Requests for records must be submitted in writing. When a request is submitted in writing, the UWSWCD must respond within five business days acknowledging the receipt of the request. The UWSWCD then has an additional 10 business days to fulfill the requests or issue a written response estimating how long fulfillment will take. The UWSWCD 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 of requests
  - Requests involving documents not readily available or if the necessary staff are unavailable to fulfill the request.

#### Fees for Public Records

If estimated fees will exceed \$25.00, the UWSWCD 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 UWSWCD:

- **Copies of Public Records; Certified Copies:** Copies of public records shall be 20 cents (\$0.20) 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 UWSWCD.

- **Research Fees:** If a request for records requires UWSWCD personnel to spend more than 15 minutes searching or reviewing records prior to the 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 UWSWCD 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 UWSWCD 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 UWSWCD's normal operation, the UWSWCD may impose such additional charges as are necessary to reimburse the UWSWCD 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 UWSWCD be removed from the UWSWCD's files or the place at which the record is regularly maintained, except upon authorization of the Board of Directors or District Manager.

#### **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 UWSWCD shall establish a time for the review in the UWSWCD office. A UWSWCD representative shall be present at any time original records are reviewed, and staff time shall be charged accordingly. In-person reviews will be subject to current COVID-19 laws and policies.

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

If any person attempts to alter, remove or destroy any UWSWCD record, the UWSWCD representative shall immediately terminate the review, and notify law enforcement as appropriate.

Adopted December 8, 2020

*The Upper Willamette SWCD prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or whether all or part of an individual's income is derived from any public assistance program, in employment or in any program or activity conducted by the Upper Willamette SWCD. The Upper Willamette SWCD is an equal opportunity employer.*