

**SUBJECT: Public Records Requests**

**NUMBER:**

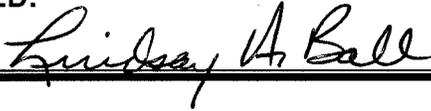
**107-01-160**

**DIVISION: Operations**

**EFFECTIVE DATE:**

**04/09/07**

**APPROVED:**



**POLICY/  
PURPOSE:**

To provide guidelines for implementing responses to public records requests as outlined in OAR 125-021-0005.

**AUTHORITY:**

ORS 192.440 and 283.060

**APPLICABILITY:**

All DAS employees

**ATTACHMENTS:**

None

**DEFINITIONS:**

None.

**GUIDELINES:**

DAS must respond to public records requests as soon as practicable. To meet this requirement, each division administrator is responsible for responding to public records requests related to that division's business in a timely manner.

The response must acknowledge receipt of the request, and must include one of the following:

- (a) A statement that the public body does not possess, or is not the custodian of, the public records.
- (b) Copies of all requested public records for which the public body does not claim an exemption from disclosure under ORS 192.410 to 192.505.
- (c) A statement that the public body is the custodian of at least some of the requested public records, an estimate of the time the public body requires before the public records may be inspected or copies of the records provided and an estimate of the fees that the requester must pay under subsection (4) of this section as a condition of receiving the public records.
- (d) A statement that the public body is the custodian of at least some of the requested public records and an estimate of the time and fees for disclosure.

The DAS Public Affairs Manager (or designee) is responsible for recording and compiling formal public records requests for DAS. Division administrators must ensure that all formal public records requests are reported to the Public Affairs Manager as they are received and upon completion of the response to the requestor.

Standard fees for public records requests are:

- Photocopies: \$0.25 per page
- Certification of Public Record: \$5.00
- Labor Charges:
  - Managerial Staff: \$70 per hour
  - Professional Staff: \$35 per hour
  - Clerical Staff: \$20 per hour

Internal Operations Manual

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Labor charges are to be based upon the type of work performed, not by the classification of the employee who does the work. For example, if a manager performs routine clerical work in response to the request, such as photocopying, the appropriate rate is \$20 per hour.

Direct costs (such as the cost billed by the Department of Justice for legal review) will be billed to the requestor.

Division administrators may waive the fee if it is determined that responding to the public records request is a routine part of doing business and undue cost is not incurred in responding to the request.