

<b>SUBJECT:</b> Public Records Requests	<b>NUMBER:</b> 107-01-160
<b>DIVISION:</b> Director's Office	<b>EFFECTIVE DATE:</b> 6-28-2010
<b>APPROVED: SIGNATURE ON FILE</b>	

**POLICY/PURPOSE:** To provide guidelines for responding to requests for public records, according to OAR 125-021-0005

**AUTHORITY:** ORS 192.440

**APPLICABILITY:** All DAS employees

**ATTACHMENTS:** None

**DEFINITIONS:** None

**GUIDELINES:** After receiving a request for a public record or document, DAS must respond to the requestor as soon as possible. Each division administrator is responsible for sending timely responses to requests that relate to his or her division's business.

- I. The written response to a request for a public record must acknowledge receipt of the request and include one of the following:
  - (a) A statement that the relevant agency does or does not have custody of the requested document(s).
  - (b) Copies of all requested documents for which the agency does not claim an exemption from disclosure under ORS 192.410 to 192.505.
  - (c) A statement acknowledging that the agency has custody of some or all of the requested documents, and an estimate of the time needed to inspect and provide those documents; and an estimate of the fees the requestor must pay under subsection (4) of this section, which will enable the agency to recover costs associated with disclosing the public records and documents.
  
- II. The DAS Public Affairs Manager (or designee) is responsible for recording and compiling the formal public records requests that DAS receives (using a database system established for that purpose). Division administrators must ensure that a designated employee enters every formal request for a public record into the database that DAS Public Affairs provides for this purpose. Division administrators must also ensure that this designated employee updates each entry in order to show its final disposition, including payment of a fee, if appropriate. Each division's designated employee must immediately notify the Public Affairs Manager whenever a member of the news media submits a request for a public record.
  
- III. Fees:
  - 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**

**POLICY NAME**    Public Records Request

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DAS will base labor charges on the type of work actually performed, not on the classification of the employee who does the work. Example: If a manager does routine clerical work in answering a request for a public record, such as photocopying, the charge will be \$20 per hour.

DAS will bill direct costs to the requestor (e.g., the cost of legal review by the Department of Justice). The requestor must pay the fee before the agency sends the requested records or makes them available for viewing.

A division administrator or the Public Affairs Manager may waive or reduce the fee if doing so is in the public interest, as provided by law. Waiver of the fee is also appropriate if answering a request for a public record is within the normal course of business, or if the resulting cost is negligible.

**PROCEDURES:**        PROC-01-160