



KLAMATH COUNTY SCHOOL DISTRICT GUIDELINES FOR PUBLIC RECORDS REQUESTS (effective March 7, 2013)



NOTE: Public records are NOT student records

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Pursuant to Oregon Revised Statutes, every person has a right to inspect any *nonexempt* public record. (See Oregon Revised Statutes, Public and Private Records; Public Reports and Meetings, Chapter 192, for definitions of *exempt* public records.)

“Public record” means any writing containing information relating to the conduct of the public’s business that is prepared, owned, used, or retained by a public body regardless of physical form or characteristics, including, but not limited to, handwriting, typewriting, printing, photographing, and every means of recording, including letters, words, pictures, sounds or symbols, or combination thereof, and all papers, maps, files, facsimiles, or electronic recordings.

Inspection and copying of a public record shall be done during regular business hours at the office where the record is located, or another facility designated by the District. District records shall not leave the District premises for the purposes of public record disclosure. The District may directly supervise the inspection or copying of District records, may list records inspected or copied by or at the request of a requestor, and may contemporaneously copy for the District’s own purposes records inspected or copied by or at the request of the requestor. The District may provide a copy of a record in lieu of the original to protect the original record. The District may provide a redacted copy in lieu of an original record in order to delete exempt material.

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How to Request a Public Record from the District:

A request to copy a record produced by the District for general public distribution must be in writing and will be granted or denied in accordance with Oregon Public Records Laws.

Any party requesting a fee reduction or waiver, shall fully cooperate with the District in identifying the reason(s) for the request. In order to determine whether or not the requested public records are exempt from disclosure, qualify for fee reduction or waiver, or if the documents meet the “public interest test (ORS 192.440(5)),” requesting party/parties should fully disclose their intended purposes of the request.

Each request must reasonably describe the recordings being sought. This means that a request must be specific enough to permit a District staff person who is familiar with the subject matter to locate the record in a reasonable period of time.

1. Requesting parties shall pay a deposit of \$25.00 (twenty-five dollars) at the time of submitting their public records request to the District. Any overpayments to the District by the requesting party will be refunded with the District's next scheduled accounts payable processing after the non-exempt public records are disclosed to the requesting party. Deposit must accompany the Public Records Request Form, which is attached. Mail request form and deposit to: Klamath County School District, Superintendent's Office, 10501 Washburn Way, Klamath Falls OR 97603.
2. Pursuant to ORS 192.440, the District shall provide the requesting party with an estimate, in writing, if the public records request is expected to exceed the \$25.00 deposit. After receiving the estimate, requesting party shall notify the District whether it wants the District to proceed with making the public records available. After providing a written estimate of the fees the requesting party must pay as a condition of receiving the records, the District *may* require written confirmation that the requesting party wants the District to proceed with making the public record available.
3. The District requires that the requesting party make payment to the District for the balance of the reasonable costs over and above the \$25.00 deposit, prior to the release of any public records. (i.e., Public records will be made available to the requesting party *only* upon payment in full to the District, and *prior* to release/disclosure of the records.) These reasonable costs shall include, but are not limited to: actual personnel costs; reproduction costs; delivery expenses; preparation and release of a condensed version of significant facts that are not otherwise exempt from disclosure (ORS 192.502(9)(b)) for public records created on or after June 20, 2007), and allowable attorneys' fees, if any (ORS 192.440(3) for reviewing, redacting or segregating the public records into exempt and nonexempt records.
4. Requesting party shall be charged for the actual cost of staff time, including fringe benefits, plus copying/delivery charges (see attached Fee Schedule). Personnel costs shall be computed on the basis of quarter hours, rounded up, for time expended by District staff and/or the District's attorney(s).
5. The District may charge for search time even if the Custodian of the record fails to locate any records in response to the request, or even if the records located are subsequently determined to be exempt from disclosure. When the amount of staff time used exceeds the amount of the \$25.00 deposit, the requesting party shall be contacted to submit an additional \$25 deposit to continue search for records.
6. The fee may be waived or reduced if the furnishing of the copies is determined by the District to be in the public's best interest as set forth in ORS 192.440(5).
7. In most cases, the District will be able to respond to the request for public records within 30 calendar days. While the District shall make every attempt to respond to the request within this time frame, requests shall not affect the operations of the District nor interfere with the regular discharge of the Custodian's duties.



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(See attached "Guidelines for Public Records Request" for additional instructions)



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Parties requesting public records are required to complete the Public Records Request form and submit it, accompanied by a check made out to "KCS D" in the amount of \$25.00. This information will allow the District to contact you for clarification of your request and notify you when the records are available for pickup. Requests will be accepted or denied in accordance with the District's Guidelines for Public Records Requests.

Name of Requesting Party (i.e., business name)

Date

MAILING ADDRESS OF REQUESTING PARTY:

Street

City

State

Zip

Telephone

E-Mail address

Fax #

For special consideration by the District in waiving or reducing the total fee, provide nonprofit 501(c)3 status, if applicable. Indicate # _____.

For records that are subject to disclosure under ORS 192.502(9)(b), and created on or after June 20, 2007, Requesting Party must indicate, by initialing below, whether a condensation of the significant facts that are not otherwise exempt from disclosure under ORS 192.410 to 192.505 is desired. _____

Initials

Preferred method of obtaining public records
(please make your preference known by initialing the corresponding line).

Requesting Party Will Pick Up

District will deliver via U.S. Postal Service

It is to everyone's advantage if requests are as precise and as narrow as possible. The requester benefits because the request can be processed more quickly and inexpensively. The District benefits because it can do a better job of responding to the request. The Oregon Public Records laws work best when both the requester and the District act cooperatively.

What records are you requesting? What is the purpose of this public records request? (i.e., What is the intended use of this information? How will this information be used?) In order to determine whether or not the requested public records qualify for fee reduction or waiver, or if the documents meet the "public interest test," requesting party/parties should fully disclose their intended purpose of the request. (Provide explanation on lines below. Attach additional pages, if necessary.)

I certify that the statements contained in this form are true and correct to the best of my knowledge and belief, that I have read and understand the District Guidelines for Public Records Requests, and that I have attached the required \$25.00 deposit with this formal request. (Where fees are waived or a request is denied, District will return deposit payment with the District's next scheduled accounts payable processing.)

Name of Individual Requesting Records (please print)

Signature of Individual Submitting Request

Date

District Response

- Your request has been received and is being processed.
- The record(s) you requested is/are attached.
- We have the record(s). For personal access please contact the person whose name appears below.
- Your deposit of \$25.00 is not sufficient payment for your Public Records Request. Please submit the balance of \$ _____ so that the records may be released to you.
- We need additional information to respond to your request. Please provide the following information:

- The record(s) you have requested is/are exempt from disclosure under Oregon law. Please see the attached explanation.
- We do not have the record(s) you have requested.

District Remarks

Signature of KCSD Representative

Title

Date

