

Public Records Request

ACCESS TO PUBLIC RECORDS

Franklin County Library District, hereafter known as the Library, is a public entity and as such, disclosure of public records is governed by Idaho Code. The following information is intended to provide guidance to Trustees and Library Staff, as well as patrons and the general public, regarding making essential and nonessential documents related to the history, business and operations of the Library available upon proper request.

The Library's records include information that is retained for a variety of purposes and pursuant to Idaho Code, Sections §§ 74-106 and 74-108, certain personnel records and identifying information about patrons, staff, and contributors may be subject to exemption from disclosure. For further information, guidance and applicable policy and procedure, reference should be made to the provisions of the Public Records Act, found in Idaho Code, Sections §§ 74-101 through 74-126. In responding to public record requests, the Library has a dual responsibility of respecting the public right to examine and copy records subject to disclosure, as well as following the directives of the law pertaining to records which are exempt from disclosure. Statistical circulation information that does not identify any particular person may be made available for examination and copying.

If a request for a record is denied, in whole or in part, the Library shall notify the person making the request in writing, or by email. This notification will indicate whether the Library's attorney has been consulted and reviewed the request, identify the statutory authority for the denial and give information about the appeals process which is to initiate proceedings in district court.

The Library Director serves as custodian of the records of the Library. The alternative for contingencies shall be the Assistant Library Director.

PROCEDURE FOR REQUESTING A PUBLIC RECORD

1. A written and signed request for public records is required. To ensure compliance with the law, those making requests are asked to utilize the Library's Public Record Request form. The form is available on the Library's website and may be submitted to the Library Director or by email as a pdf to Director@larsensantlib.org
2. The person making the request must acknowledge that the requested records or information will not be used for a mailing or telephone list, prohibited by Idaho Code, Section § 74-102

3. Ordinarily, the requesting party will be notified whether the request for records will be granted or denied, in whole or part, within three (3) working days
4. If a longer time is required to locate or retrieve the requested records, or to determine whether the request can be granted, the person making the request shall be notified in writing
5. Examination and/or copies of the records subject to public disclosure will be provided within ten (10) working days, beginning on the working day following the submission of the request. If no response is provided within ten (10) working days the request will be deemed to be denied

FEES

In most cases, no fee will be charged for examining or copying public records. Depending upon the nature of the request, the character and volume of public records requested and the staff time expended in responding, the following fees may be assessed.

1. If responding to the request requires copying (including photocopying or scanning), the Library will charge 10 cents for each copy in excess of 100 pages
2. If the time of Library staff required in responding to a request does not exceed two (2) person hours, no fee will be charged. Fees for total labor costs in excess of 2 hours will be charged at the hourly payroll rate of the lowest paid administrative staff employee or employees necessary and qualified to process the request. Depending on the request, the Library may not be able to determine this rate until the documents are retrieved and reviewed
3. If the request includes nonpublic information requiring deletions or redactions in consultation with the Library's attorney, or requires the advice of our attorney on possible exemptions, fees will be charged at the usual and customary billing rate of the Library's attorney
4. If the request requires providing an electronic storage device containing the public information, a fee may be charged equal to the Library's direct cost of copying the information in that form or the cost of conversion charged by a vendor if converted from another form

In certain instances, addressed in Idaho Code, section § 74-102, the requesting party may be exempt from paying such charges. In determining if fees are owed, the Library will combine the total staff time required in responding to multiple requests on the same or related subjects. A requestor may not file multiple requests to avoid payment of fees. An itemized statement explaining any assessed fees will be provided to the requesting person. The Library may require advanced payment of assessable fees.