

PUBLIC RECORDS REQUEST POLICY

The Gunnison County Library District is subject to the laws that apply to the government of the State of Colorado. This includes the Colorado Open Records Act, found at Section 24-72-201 and subsequent sections of Colorado Revised Statutes. The intent of this policy is to implement the Open Records Act. Any inconsistency between the Act and this policy shall be governed by the Act.

In accordance with the Colorado Open Records Act, public records maintained by the Gunnison County Library District shall be open for inspection by any person at reasonable times, except as provided in the Act or as otherwise provided by law. These materials are different from the books, magazines and other publications that make up the traditional research and circulation stock of the Library. They are, essentially, the internal management records of the Library.

The custodian of records is the Library Director. The Library Director shall establish alternate custodians for times when the Director is not available.

A person who desires to inspect or to obtain a copy of the records shall submit a written request in accordance with the request form attached to this policy.

Copies of the form shall be available at the front desk of the Library.

As a matter of policy, the Library will endeavor to make the requested records available within one working day. If the records are not readily available on the day that they are requested, the custodian shall set a date and time for inspection or for providing copies. Under normal circumstances, this shall happen within a maximum of three working days of receiving the request. If there are extenuating circumstances, as provided in the Act, up to an additional seven working days may be required. Working days for the Gunnison County Library District are any day that the Library is open to the public.

The custodian shall promptly review the request to determine the nature of the records sought, the time required to locate and make the records available, and whether there are questions concerning the release of any of the records or difficulty in providing the records within three working days.

If the custodian believes that any of the requested records are not to be released under the Open Records Act, or determines that there are extenuating circumstances that will require more than three working days to produce the records, or otherwise believes that the request cannot be met within the specified time frames, the custodian shall promptly seek review by the Library's attorney and shall also inform the Library Board of Trustees to ensure the request is being fulfilled as accurately as possible and in accordance with the Act. After consulting with the Library's attorney, if the requested record can be released, custodian shall contact the requester to provide information as to when and where the records can be inspected or copies provided.

The custodian of records shall determine whether to provide inspection of the original material or to provide a printed copy. The custodian may provide an electronic copy by E-mail if acceptable to the requester. The custodian will organize the records in an orderly fashion to the requester. Any inspection

of original records shall be in the Library and monitored by a Library employee. The requester will follow instructions from the Library concerning handling of records.

Except as otherwise stated in this policy, there is no charge for inspection of records at the Library. If the custodian determines to provide a copy, rather than access to the original record, there shall be no charge for the copy, except that staff time shall be charged as set out in the following paragraph. If the requester asks for a copy, rather than or in addition to inspection of the original, the Library shall charge \$0.15 per page for letter-size reproduction, print-out or scan. If copying facilities outside the Library are required, the actual cost for those reproduction services shall be charged. The Library will provide the requester with a written invoice for all charges. The invoice must be paid before the Library will provide the copies. Charges for copying services to be performed outside the Library must be paid in advance, before any such copying is done

There is no charge for reasonable time on the part of the Library to locate, produce and monitor inspection of the records. However, if fulfilling the request will require more than two hours of staff time to locate, produce and monitor inspection of the records, the Library will charge for the time in excess of the first two hours at the rate of \$25.00 per hour, billed at 15 minute increments. The Library will provide the requester an estimate of the charges before the work is undertaken and with an invoice for the charges when the records have been located and assembled for inspection or copying. The requester must approve the estimate before work commences. The requester shall pay the invoice before the Library will provide inspection or copies of the records. These charges are in addition to the charges for copies as set out above.

Please refer to Confidentiality of Library Records Policy for more information (CRS 24-90-119).

The **Public Records Request Policy** was adopted and approved by the Gunnison County Library District Board of Trustees August 2013