

Lyons Regional Library District Open Records Request Policy

The Lyons Regional Library District (LRLD) Board of Trustees fully supports and complies with all federal and state laws relating to the retention, protection, and disclosure of LRLD records including, but not limited to, the Colorado Open Records Act, C.R.S. § 24-72-200.1 *et seq.* (CORA), and Colorado Library Law, C.R.S. § 24-90-101 *et seq.*

As a public entity, the LRLD recognizes the importance of this state policy and the importance of creating an environment of openness with respect to its internal operations. This policy is intended to balance the public's right to inspect the records of the LRLD with the LRLD's need to protect its records from unnecessary interference with its regular duties in responding to such requests.

All LRLD public records are open for inspection by any person at reasonable times, except as otherwise provided by law. Public records are defined by CORA as all writings made or maintained by LRLD, regardless of the format or medium of the records, subject to certain exceptions. Public records expressly include email communications. By action of the LRLD Board of Trustees, the Library Director is hereby designated as the official Custodian of Records responsible for the maintenance, care, and keeping of all library records. The Custodian of Records has the authority to designate such agents as they determine appropriate to perform any acts necessary to enforce and execute the provisions of this policy.

All records requests must contain the following:

- The requestor's contact information so that the Custodian of Records can respond with a cost estimate (if relevant), seek clarification about the request, arrange payment, and otherwise engage in a professional manner directly with the requestor. If contact information is incomplete or incorrect, and as a result makes it impossible for the Custodian of Records to respond, that request will be deemed groundless and will not be filled.
- Description of the records being requested. Please describe as specifically as possible what is being sought in terms of public record. If the requestor is uncertain about which records contain the information being sought, provide a description of the type of information, including date ranges.
- If photocopies or electronic copies are being sought, and preferred method for delivery of the records.

The following general policies concern the release of LRLD records:

- Written requests for LRLD records shall be made using the LRLD CORA Request Form or addressed to:
Lyons Regional Library District
c/o Custodian of Records
P.O. Box 619
Lyons, CO 80540

- If any question arises as to the propriety of fully complying with a request for records, the Custodian of Records will immediately forward the request to legal counsel.
- Legal counsel will determine LRLD's obligation under the applicable law. If LRLD is permitted to comply with the request in whole or in part, LRLD's legal counsel will so notify the Custodian of Records, who will assemble the disclosable requested documents for inspection and/or copying in accordance with applicable laws.
- If LRLD's legal counsel determines LRLD is not permitted to comply with the request in whole or in part, legal counsel will provide a written response to the party submitting the request stating the legal basis upon which the request in whole or in part is being denied.
- If the requested records contain information that is partially open to inspection and partially exempt from inspection, the LRLD may, in its discretion, withhold the record altogether or redact the exempted information and provide the record(s) for inspection.
- The Custodian of Records is not required by CORA to construct a record or document that does not exist.
- The Custodian of Records may set the time during normal operating hours and the place for the records to be inspected and require that the Custodian of Records or a delegated employee be present while the records are examined. Pursuant to CORA, all records must be made available for inspection within three business days following the date the request is received, unless extenuating circumstances exist. The deadline may be extended by up to seven business days if extenuating circumstances exist and the requestor is notified of the delay within the three day statutory period.
- Requests are deemed received as of the business day they are received by the LRLD. Requests sent after normal operating hours shall be deemed received on the next business day.
- A requestor granted the right to inspect LRLD records may also be provided copies requested at a cost of \$.25 per page in standard size and format. The charge for providing a copy, print out, or photograph of a public record in a format other than a standard page will be assessed at the actual cost of production. Additionally, in those cases where the location or existence of specific records must be researched and the records must be retrieved, sorted, or reviewed for applicability to the request, and such process requires more than one hour of time, LRLD may charge a research and retrieval fee of \$33.58 per hour after the first hour of time expended with the research and retrieval of public records.
- If a request implicates a large amount of records, the Custodian of Records will provide an estimate of the cost to respond to the request prior to engaging in any review. The requestor must confirm they want to continue with the request by paying the estimate fees. If responding to the request results in additional fees, above the estimate, the requestor will be responsible for paying the additional fees before receiving any records. If the requestor does not respond to the communication of an estimate within two business days, then the request will be treated as abandoned.
- Any fee charged for the research and retrieval will be the same for all requestors whether the requestor is an individual, representative of the media, a public or private entity, or a for-profit or nonprofit entity.
- All fees must be paid before any responsive records will be provided.

- If the request for records is made by a member of the media, the Board's Communications Chair will be informed of the request by the Custodian of Records.
- Upon completion of the request, the Custodian of Records will notify the requestor. Upon receipt of payment for the request (if applicable), the Custodian of Records will transmit a copy of the records via the predetermined manner. Options include U.S. Mail, fax, electronic mail, or other delivery service. No transmission fee will be charged to the requestor for transmitting via electronic mail or fax. All other methods of transmission will be at actual cost.
- Records will remain available for two business days beyond any scheduled time for inspection. Should records not be inspected, they will return to their point of origin and the request will be considered abandoned.
- Once a request is abandoned, the requestor must submit a new records request, which will be subject to all applicable fees.

Approved and Adopted by the Lyons Regional Library Board of Trustees on November 17, 2020