GUIDELINES FOR PUBLIC RECORDS REQUESTS

(effective July 1, 2004)

NOTE: Public Records are NOT student records.

— A —

Pursuant to Oregon Revised Statutes, every person has a right to inspect any *nonexempt* public record. (See Oregon Revised Statute, 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 College. College records shall not leave College premises for the purposes of public record disclosure. The College may directly supervise the inspection or copying of College records, may list records inspected or copied by or at the request of a requestor, and may contemporaneously copy for the College's own purposes records inspected or copied by or at the request of the requestor. The College may provide a copy of a record in lieu of the original to protect the original record. The College may provide a redacted copy in lieu of an original record in order to delete exempt material.

— B —

How to Request a Public Record from Chemeketa Community College; there are two types of public records requests:

Informal Requests
The first type of public records request is one that is verbally submitted by the requesting party for records that are incidental, readily accessible or reproducible at negligible cost, and are typically available for general public distribution.

Formal Requests
All other public records requests must be submitted in writing and will be granted or denied in accordance with Oregon Public Records Law.

Any party requesting a fee reduction or waiver, shall fully cooperate with the College 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 must fully disclose their intended purpose of the request.

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

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1. Requesting parties shall pay a deposit of $25 (twenty-five dollars), at the time of submitting their public records request to the College. Any overpayments to the College by the requesting party, will be promptly refunded after the nonexempt public records are disclosed to the requesting party. Deposit must accompany the Public Record(s) Request Form, which is attached. Mail request form and deposit to: Chemeketa Community College, Miriam Scharer, Associate Vice President, Financial Management, 4000 Lancaster Drive NE, PO Box 14007, Salem OR 97309-7070.

2. The College requires that the requesting party make payment to the College for the balance of the reasonable costs over and above the $25 deposit, prior to the release of the public records. (i.e., public records will be made available to the requesting party *only* upon payment in full to the College, 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 attorney's fees, if any, for reviewing, redacting or segregating the public records into exempt and nonexempt records.

3. Pursuant to ORS 192.440, the College shall provide the requesting party with an estimate, in writing, if the public records request is expected to exceed $25.00. After receiving the estimate, requesting party shall notify the College whether it wants the College 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 and an estimate of time required before the public records may be inspected or copies made available, the College *may* require written confirmation that the requesting party wants the College to proceed with making the public record available. **The College *may* require that the fees be paid by the requesting party before the College dedicates its resources to the preparation, replication, and release of the requested non-exempt public records.**

4. Requesting party shall be charged at the rate(s) established below:

   a. If the public records request requires a nominal amount of staff time (less than 30 minutes), which includes: searching; locating; retrieving; copying; transporting; summarizing, compiling, tailoring, and 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); copies shall be made at no charge, unless the number of copies requested exceeds 10 pages.

   b. Records that require only a nominal time of staff time (less than 30 minutes), but the number of copies exceeds 10 pages, shall be charged for the actual cost of staff time, including fringe benefits, plus: copying/delivering charges; charges for summarizing, compiling tailoring; and 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 attorney's fees, if any, for reviewing, redacting or segregating the public records into exempt and nonexempt records. Copying charges shall be at the rate of $0.10 (ten cents) per page.

   c. Records that require more than a nominal amount of staff time (30 minutes or more), will be provided to the requesting party for the actual cost of staff time, including fringe benefits, plus: copying/delivery charges; charges for summarizing, compiling tailoring; and charges for the 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). Copying charges shall be at the rate of $0.10 (ten cents) per page. Personnel costs shall be computed on the basis of quarter hours, rounded up, for time expended by College staff and/or the College's attorney(s). Attorney fees, if any, shall be limited to the cost of time spent by attorney(s) for the College in reviewing the public records, redacting material from the public records or segregating the public records into exempt and nonexempt records.

5. The fee may be waived or reduced if the furnishing of the copies is determined by the College to be in the public's best interest as set forth in ORS 192.440(5).

6. The College 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's deposit shall be forfeited.

7. In most cases, the College will be able to respond to the request for public records within 21 working days. While the College shall make every attempt to respond to the request within this timeframe, requests shall not affect the operations of the College nor interfere with the regular discharge of the custodian's duties.

Chemeketa Community College

4000 Lancaster Drive NE • PO Box 14007
Salem OR 97309-7070 • Phone: 503.399.5016

PUBLIC RECORD(S) REQUEST

(See attached "Guidelines for Public Records Requests" for additional instructions.)

NOTE: Public Records are NOT student records.

Parties requesting public records are encouraged to complete the Public Record(s) Request form and submit it, accompanied by a check made out to "Chemeketa Community College" in the amount of $25, to the Associate Vice President of Financial Management, Miriam Scharer. This will allow the College 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 College'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 College 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.

_____
College 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 College 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 College act cooperatively.

What public record(s) are you requesting? (Please specify.)

_____

_____

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 understood the Chemeketa Community College Guidelines for Public Records Requests, and that I have attached the required $25 deposit with this formal request. *(Where fees are waived or request is denied, College will promptly return deposit payment.)*

_____
Name of Individual Requesting Records *(please print)*

_____ _____
Signature of Individual Submitting Request for Records Date