

RESOLUTION NO. 2006-07-09

MORROW COUNTY SCHOOL DISTRICT

WHEREAS, ORS 192.420 allows every person the right to inspect and copy public records, and

WHEREAS, ORS 192.440 (3) allows a public body to establish fees reasonably calculated to reimburse it for actual costs incurred, and

WHEREAS, Morrow County School District desires to state its policy and fee schedules by way of resolution,

IT IS, THEREFORE, RESOLVED:

(1) Requests for copies or inspection of public records shall be in writing and on a form to be established by the Morrow County School District staff, which form shall not be inconsistent with the terms hereof.

(2) The form shall require a person requesting access to public records to supply at least the following information:

- (a) The requester's name.
- (b) The requester's address.
- (c) The requester's telephone number.

(d) A reasonable description of the records desired. If the title of the document is known, it shall be supplied. If the title of the document is not known, the requester shall at least provide a statement of the subject matter for which documents are requested, a beginning date and an ending date for the time period of interest, and such other information as the requester can supply to facilitate the location and copying of the records.

(e) The form shall also state directly above a signature line for the requester the following:

"I understand that I shall be responsible for all fees resulting from the above request and that the Morrow County School District will be keeping track of its actual costs, including a charge for the time spent by staff in locating the requested records, reviewing the records in order to delete exempt material, supervising a person's inspection of original documents in order to protect the records, copying records, certifying documents as true copies if certification is requested, sending records by mail or other special handling, and for a per page copy fee. I further understand that prior to the time that the Morrow County

School District staff will begin locating the records, staff will provide me with an estimated fee which I will pay. I agree that if the fee is insufficient to pay the actual costs finally determined, before I am entitled to the records I will pay any amount due. I will expect that if the estimated fee exceeds the actual costs, I will receive a refund for the excess.

“I further understand that the Morrow County School District may charge for search time even if they fail to locate any records responsive to the request or even if the records which are located are subsequently determined to be exempt from public disclosure.”

(3) Upon receipt of a properly filled out request for copies or inspection, the Morrow County School District staff shall make an effort to estimate the amount of fees that will be charged based upon the following schedule: a fee of \$20 per hour for the staff member performing the research, locating and copying and other administrative time for MCSD; the actual cost for postage and packaging for mail; and .10¢ per page of copied records.

(4) After staff has estimated the fees, that estimate shall be provided to the applicant by mail along with a statement that staff will not begin copying the records (if copies are requested) until the estimated fee is paid. The statement sent shall also advise the requester that promptly upon receipt of payment, the copying will commence, however, copies will not be provided if the estimate is low and an additional payment is due. If the estimated payment is in fact lower than the actual costs, the requester shall be immediately notified of the additional amount needed to fully pay for the charges, and shall be advised that no copies will be provided until the extra amount due is received. If any estimated fees are more than the actual cost, any excess payment shall be immediately refunded.

(5) Nothing stated within this resolution shall be interpreted as allowing any person to review records in the possession of Morrow County School District which are exempt from public disclosure pursuant to the Oregon Public Records Law, ORS 192.410, et seq. If staff has any question about whether a particular record is exempt from public disclosure, legal counsel shall be consulted.

(6) The Morrow County School District staff shall respond with reasonable promptness to all requests for inspection or copying.

RESOLVED this \_\_\_\_ day of \_\_\_\_\_, 2007.

MORROW COUNTY SCHOOL DISTRICT

By: \_\_\_\_\_  
Craig Miles, Chairman