

Public Records Request Policy

(Est. 8/17/2016; Reviewed 11/18/2020)

A. Purpose

To facilitate the disclosure of public records.

B. Definition

Madison Library District is a public entity and as such, disclosure of public records is governed by the Idaho Code.

1. Madison Library District'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.
2. In responding to public record requests, the Madison Library District 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.

C. Response to Request

1. A request must be granted or denied within three (3) working days per Idaho Public Records Act – Idaho Code 74-103. However, if more time is needed to locate or retrieve the requested records, the Library may take up to ten (10) days to respond, provided the Library first notifies the requester, in writing, that additional time is required. If no response is provided, the request will be deemed to have been denied after ten (10) working days from the request.
2. 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.

D. 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 for their time. 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 a duplicate of an electronic copy, similar or analogous records system containing the public information, a fee will 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.
5. 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.
6. A requestor may not file multiple requests to avoid payment of fees.
7. An itemized statement explaining any assessed fees will be provided to the requesting person.
8. The Library may require advanced payment of assessable fees.

E. Exemptions in Payment

In certain instances, addressed in Idaho Code, Section 74-102, the requesting party may be exempt from paying such charges.