



ADMINISTRATIVE PROCEDURE

TITLE: Public Records

ADMINISTRATIVE PROCEDURE # 3300

RELATED TO POLICY # 3300 PUBLIC RECORDS

A. Definition of a Public Record:

1. Public records are “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.”
2. Records that are exempt from disclosure may not be inspected or copied by members of the public. Social security numbers must be redacted from records before they are disclosed to the public. Student records are not public records.

B. Requesting a Public Record

1. Members of the public may request to inspect or copy public records by filling out the form available on the College website. A request by a member of the public may be delivered by mail or in person to the Office of Business Services, Accounting and Finance department: 1140 Umpqua College Rd, Roseburg, OR 97470 or emailed to PublicRecords@umpqua.edu.
2. Under Oregon law, the College must acknowledge receipt of a written request to inspect or receive copies of public records within 5 business days. Public records requests are considered received by the College when read by the recipient. Once acknowledged, The College will complete its response to the request as soon as practicable and without unreasonable delay. “Business day” is defined as “a day other than Saturday, Sunday or a legal holiday and on which at least one paid employee of the public body that received the public records request is scheduled to and does report to work.” Further, “business day” does not include any day on which the central administration offices of the College are closed.

C. Inspection of Public Records

1. Any request to inspect records shall be made sufficiently in advance of the date of inspection to allow staff members time to assemble the records and identify any records that may be exempt from disclosure.
2. 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.

D. Fees:

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. Mail request form and deposit to: Umpqua Community College, Director of Accounting & Finance, PO Box 967, Roseburg, OR 97470-0226.
2. 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.
3. Before acting upon a request, the College requires that the requesting party make payment to the College for the balance of the estimated cost if it exceeds the original \$25 deposit. If the estimate is insufficient to cover reasonable costs, the College will submit an additional cost estimate, which must be paid by the requestor before the College acts further upon the request. Public records will be made available to the requesting party only after payment in full to the College. These reasonable costs shall include, but are not limited to: actual personnel costs; reproduction costs; delivery expenses; and attorney's fees, if any, for reviewing, redacting or segregating the public records into exempt and nonexempt 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, conveying, etc.), 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 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 for black and white photocopy. \$0.50(fifty cents) per page for Color per side photocopies.
 - 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. 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 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.

E. Fee Waiver:

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(4)(5). Information on how to request a fee waiver is included on the College's public record request form.

F. Procedure for College employees who receive a public records request:

College employees should direct inquirers to the Public Records College website make their requests via the pdf Public Records Request form.

G. Subpoenas

Note that a subpoena is NOT a public records request; it is a court order. Notify the Chief Financial Officer IMMEDIATELY if you are served with a subpoena. The court imposes strict and often very tight deadlines in responding to subpoenas.

H. Person to contact in regards to public records request:

Director of Accounting and Finance or PublicRecords@umpqua.edu

REFERENCES:

ORS 192.311- 192.478

RESPONSIBILITY:

The Chief Financial Officer is responsible for implementing and updating this procedure.

NEXT REVIEW DATE:

DATE OF ADOPTION: 4/15/2021 by CC

DATE(S) OF REVISION:

DATE(S) OF PRIOR REVIEW: