ORS 190 Entity, Mid-Willamette Valley Homeless Alliance

Public Records Policy

I. Purpose

A. The purpose of this policy is to document ORS 190 Entity, Mid-Willamette Valley Homeless Alliance ("MWVHA")'s public records request procedures and fees.

II. Guidelines for Submitting Public Records Requests

A. Public records requests must be made in writing by email to MWVHA staff at staff@mwvhomelessalliance.org or by mail to 100 High St. SE, Ste. 200, Salem, OR 97301.

B. Requests must identify and describe the records sought with as much specificity as possible, including a date range and the record title, if known.

C. MWVHA is required to provide public records existing at the time of the request in response to records requests. It is not required to create documents to respond to public records requests. Requesters seeking to inspect or obtain copies of records on a continuing basis must submit new, successive records requests for each date range, which cannot extend beyond the date the public records request is submitted.

D. Changes within the scope of the original request, such as clarifying or narrowing a request after submission, are permitted. However, changes that expand the records being sought to seek new records, including new dates or types of records, require submission of a new request.

III. Fee Schedule for Public Records Requests

A. Oregon law authorizes public agencies to establish reasonable fees to be reimbursed for the actual costs of making public records available. MWVHA's actual costs may include:

i. Time or costs to copy or convert records to paper or other media and mailing expenses

ii. Time spent locating, reviewing, redacting, copying, and supervising a person's inspection of original records in order to protect them

iii. Research time to locate and analyze the requested records, even if no records are located or if the requested records are determined to be exempt from disclosure

iv. Any time spent notifying public employees of requests for employee personal information

v. Time spent by an attorney to review, redact, or segregate records for possible exemptions

B. If the estimated costs involved in fulfilling a public records request exceed $25, MWVHA will advise the requester of those costs and require the requester's approval before beginning work. If the fee estimate exceeds $25, payment of the estimated fee will be required to begin work. Full payment of the total amount of costs incurred is required before the public records may be inspected or copies released.

C. MWVHA 's standard fees for public records requests are described below. Costs vary on a case-by-case basis and are dependent on how much time is spent processing the request.

Clerical Staff Time	$30.00/hour
Executive Director Time	$62.50/hour
Paralegal Time	$125.00/hour
External Attorney Time	$292.00/hour
Printed pages	$0.25 per page
Additional print or storage costs	At cost

D. Fee waivers may be available and are evaluated on a case-by-case basis. To be eligible for a fee waiver, the requester must show that the request primarily benefits the public interest. However, even when the request benefits the public interest, MWVHA is not required to waive fees. MWVHA must evaluate the financial and resource burdens placed on MWVHA by the request as well as other factors.

To make this determination, MWVHA will request information sufficient to evaluate whether the request primarily benefits the public interest. If the requester fails to provide requested information the fee waiver request will likely be denied.

E. Refunds will be issued only in the event of overpayment, duplicate payments, or a payment made when no public record request fee was due.

IV. Right to Appeal

A. Any person denied the right to inspect or to receive a copy of any public record of MWVHA may petition the Marion County District Attorney for review, in accordance with ORS 192.415. The denial of a fee waiver request may also be appealed. Any person denied the right to inspect or receive a copy of a public record of a public official may petition the Marion County Circuit Court for review, in accordance with ORS 192.427.

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Public Records Request Form

Date of Request:_____

Name of Requestor: _____

Mailing Address: _____

Email Address: _____

Contact Phone Number: _____

Preferred Method of Contact: ☐ Mail ☐ Phone ☐ Email

Format Requested: ☐ Inspection only ☐ Paper copies ☐ Digital copies

Describe with particularity the records you are requesting: _____

_____

_____

Identify relevant time frame (e.g., January 1, 2020, to present): _____

Any additional information to locate or identify documents being requested: _____

_____

By submitting this request, I certify that I have read MWVHA's Public Records Policy and I understand that I am responsible for paying MWVHA's costs for processing this public records request before any records are disclosed to me. I understand that costs vary on a case-by-case basis and are determined based on how much time is spent processing the request.

_____ _____

Signature of Requestor Date