



Sacramento Public Library Authority

February 27, 2014

Agenda Item 13.0: Update Public Records Act Policy and Procedure

TO: Sacramento Public Library Authority Board

FROM: Rivkah K. Sass, Library Director

RE: Public Records Act Policy and Procedure

RECOMMENDED ACTION(S):

Adopt Resolution 14-05, approving the Sacramento Public Library's Updated Public Records Act Policy and Procedure.

BACKGROUND

Library staff members, who are in the process of reviewing and revising policies and procedures, have discovered that the existing Public Records Act Policy and Procedure document, which was published in June 2007, was not previously approved by the Sacramento Public Library Authority Board.

The existing policy has been reviewed and revised by staff and Authority Counsel. Staff recommend that the Authority Board approve the revised policy.

ATTACHMENT(S):

Resolution 14-05, approving the revised Public Records Act Policy and Procedure for the Sacramento Public Library Authority.



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RESOLUTION 14-05

Adopted by the Governing Board of the Sacramento Public Library Authority on the date of:

February 27, 2014

A RESOLUTION APPROVING THE PUBLIC RECORDS ACT POLICY AND PROCEDURE FOR THE SACRAMENTO PUBLIC LIBRARY AUTHORITY

BE IT HEREBY RESOLVED BY THE GOVERNING BOARD OF THE SACRAMENTO PUBLIC LIBRARY AUTHORITY AS FOLLOWS:

1. The Public Records Act Policy and Procedure for the Sacramento Public Library, as set forth in Exhibit A, is approved.

Angelique Ashby, Chair
Jeff Slowey, Vice Chair

ATTESTED: Rivkah K. Sass, Secretary

BY: _____
Linda J. Beymer, Assistant Secretary

ATTACHMENT(S):

Exhibit A: Sacramento Public Library Public Records Act Policy and Procedure



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Sacramento Public Library Policies and Procedures

Policy No:			
Title:	Public Records Act Policy and Procedure		
Department:	Director		
Issue Date:	6/20/2007		
Revision Date:	2/27/2014	Board Approval – February 27, 2014	

I. PURPOSE

The following document establishes policy and procedural guidelines for disclosure of Sacramento Public Library's public records in accordance with the provisions of the California Public Records Act (Government Code Section 6250, et seq.).

II. POLICY

The Sacramento Public Library honors its obligation under law to provide public access to public records while protecting individuals' rights to privacy.

Sacramento Public Library's public records are open to inspection at all times during the office hours of Sacramento Public Library's Administrative Offices. Except for public records exempt from disclosure, a copy of reasonably described identifiable records shall be made available with minimal delay to the requesting party. An exact copy shall be provided, unless impracticable to do so.

III. DEFINITIONS

- a. **PUBLIC RECORDS:** As defined by the California Public Records Act, any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the Library, regardless of physical form or characteristics. The term "writing" includes electronic records and communications.
- b. **EXEMPT RECORDS:** Records that are privileged or confidential pursuant to state or federal law. The California Public Records Act exempts particular records from disclosure. Examples include, but are not limited to: library registration and circulation records, employee personnel and medical files, preliminary drafts, attorney-client communications and work product, pending litigation records, and information in records containing Social Security numbers. In addition, any record not expressly exempted by the California Public Records Act is nonetheless exempt if the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.



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IV. PROCEDURES

- a. The public is encouraged to put requests to inspect or copy public records in writing. For convenience, a form is available online. The request must reasonably describe an identifiable record or records. For verbal requests in which the record is not readily available or cannot be produced immediately, Library staff shall record the request in writing on the Library's Public Records Act request form.
- b. Library staff shall assist the requester in making a focused and effective request.
- c. Library staff shall immediately forward Requests for Public Records to the Clerk of the Board.
- d. The Clerk of the Board shall determine if the records are available in response to the request and, after consultation with Authority Counsel as appropriate, whether the records are exempt from disclosure.
- e. Within ten (10) days of receipt of the request, the Clerk of the Board shall notify the requester of the determination of the request.
 1. If it is determined the request seeks disclosable public records, the Clerk shall state the estimated date and time when the records will be made available.
 2. If it is determined the request seeks records that are exempt from disclosure, the Clerk shall advise the requester of the reason for the exemption. If a record responsive to a request contains both exempt and non-exempt information, the non-exempt information that can be reasonably segregated from the exempt information will be disclosed.
- f. Pursuant to the California Public Records Act, the Clerk of the Board may extend the 10-day response period for up to fourteen (14) additional calendar days, in unusual circumstances. Unusual circumstances include the need to: search or collect records from off-site facilities, review voluminous records, consult with another agency, compile data, or establish a program to extract data. If an extension is necessary, the Clerk of the Board will notify the requester of the extension, the reasons for the extension and the date of which a determination is expected to be sent.
- g. The Clerk of the Board shall make the public records requested available for inspection during Library Administration office hours in the Library's Administration Office.



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- h. No fees may be collected for requests for inspection (only) of public records. However, if copies of public records are requested, the Library may charge a fee to cover the direct cost of reproduction. Such fees shall be set in the Library's Fine and Fee Schedule.
- i. Any money collected for the costs of reproduction shall be recorded as a cash transaction and deposited as revenue. Payment for the copies shall be made before the copies are given to the requester.
- j. A requester who is dissatisfied with the Library's determination that their request seeks records that are exempt from disclosure may appeal the decision to the Library Director in writing within ten (10) days of the issuance of the Clerk of the Board's written determination.
 - 1. The Library Director shall review the written appeal, consult the Authority's legal counsel as appropriate and confirm or reverse the decision. A copy of the Library Director's written response to the appeal shall be sent to the requester.

V. FORMS AND INFORMATION
[Public Records Request Form](#)

VI. RELATED POLICIES
NA