

**PUBLIC RECORDS REQUESTS, FEES, COSTS, AND CHARGES**

The Business Manager is the designated public records person for the school district.

The School District hereby establishes uniform procedures, fees, costs, and charges for inspection, copying, and production of public records.

## Definitions:

- A. "Applicant" is the person that is making the public records request.
- B. "Clerical/support staff" are employees who generally perform office or administrative support duties and may include secretaries and administrative assistants.
- C. "Electronic public record" is a public record that is primarily or solely stored in an electronic format. Typically, the District will only be able to produce a copy of the original electronic public record due to the native format, security, and integrity of the original data or electronic record.
- D. "Information technology staff" are employees who perform duties relating to retrieving, compiling, constructing, formatting, or extracting electronic public records located on computer systems, software, servers, or networks. Information technology staff employees may also perform computer programming or other computer services relating to electronic public records.
- E. "Professional staff" are employees who are not clerical/support or information technology staff as defined herein. Professional staff employees may perform administrative, managerial, or professional duties.
- F. "Supervise copying" occurs if someone other than the District is allowed under W.S. 16-4-204(b) to make copies, printouts, or photographs. Under W.S. 16-4-204(b), the District is authorized to charge a reasonable fee to supervise the copying, printing out, or photographing if someone other than the District makes the copies, printouts or photographs. The supervision fee shall be the hourly rates stated in section 2(C)(i) through (v). For example, if clerical/support staff is required to supervise the

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copying, printing out or photographing, the hourly rate will be \$20.

1. Procedures

- A. All public records shall be open for inspection by any person at reasonable times, during business hours of the school district. All applications for public records shall be made to the designated public records person.
- B. If the public records requested are not in the custody or control of the school district, the designated public records person shall notify the applicant within seven (7) business days from the date of acknowledged receipt of the request of the unavailability of the records sought and provide the name and contact information of the appropriate designated public records person if known.
- C. If the public records requested are in the custody and control of the school district, the following shall apply:

- (i) If the records are in active use or in storage, and therefore not available at the time an applicant asks to examine them, the designated public records person shall immediately forward the request to the custodian or authorized person having personal custody and control of the public records and shall notify the applicant of this situation within seven (7) business days from the date of acknowledged receipt of the request;

- (ii) If a public record is readily available, it shall be immediately released to the applicant so long as the release does not impair or impede the school district's ability to discharge its other duties;

- (iii) All public records shall be released not later than thirty (30) calendar days from the date of acknowledged receipt of the request unless good cause exists preventing release as authorized by paragraph (iv) of this subsection;

- (iv) If good cause exists preventing release within the time period specified in paragraph (iii) of this

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subsection, the public records shall be released on a specified date mutually agreed to by the applicant and the school district.

- D. If a public record exists primarily or solely in an electronic format, the custodian of the record shall inform the applicant.

2. Electronic Public Records

- A. Production and Construction Costs. Unless otherwise determined by the Superintendent or his/her designee, the School District shall charge an applicant the reasonable costs of producing and constructing a copy of an electronic public record for inspection and copying pursuant to Wyo. Stat. Ann. § 16-4-202(d)(i). This cost may include, but is not limited to, the time spent retrieving, compiling, sorting, reviewing, redacting, formatting, converting, or copying the electronic public record, as well as activities required to create or construct a new electronic public record from existing sources and all associated programming and computer services.
- B. Minimum Requirements to Charge Costs. Production and construction costs will be charged only if they exceed \$20.00 ("the base"). If the costs exceed the base, only the amount over the base will be charged to the applicant. If electronic production and/or construction costs for a request are less than or equal to the base, the applicant will not be charged any costs for production and/or construction of said electronic records. The base is a credit upon the total amount charged for the production and/or construction of electronic records. Applicants may not use multiple record requests to evade the base threshold. The District has discretion to consolidate public records requests that it reasonably believes have been drafted and submitted to evade the base threshold.
- C. Production and Construction Costs. Production and construction costs for electronic public records shall be as follows:

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- (i) \$20.00/hour for clerical staff time.
- (ii) \$40.00/hour for information technology staff time.
- (iii) \$60.00/hour for professional staff time.
- (iv) Actual Attorney fees incurred.
- (v) Actual cost of programming and computer services.

D. Payment. The District shall provide the applicant with an estimate of the reasonable costs of production and construction of the electronic public records. The applicant must pre-pay the estimated costs before the District produces or constructs the electronic public records or provides any copies for inspection. Payment shall be made to the District. If the District reaches the limit of the payment by the applicant, the District will produce the records that are ready and available at that point and will provide an additional estimate pursuant to this subsection, which must also be prepaid prior to continuing with the request.

E. Refund. If the District estimates and receives costs exceeding the actual time required to produce and construct the electronic public records, the District shall refund the excess charge received at the same time that it allows the applicant to inspect the electronic public records.

F. Inspection. The District shall notify the applicant in writing when copies of the electronic public records are produced and available for inspection. The applicant shall have a month from the time the District provides notification to come to the District's designated location to inspect the records. After the one-month time period, the request shall be officially closed.

G. Costs for Producing Copies. The fee schedules described in Sections 3 B, D and E apply to electronic public records.

3. Non-Electronic Public Records.

A. Inspection. The District shall notify the applicant in

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writing when copies of the non-electronic public records are produced and available for inspection. The applicant shall have one month from the time the District provides notification to come to the District's designated location to inspect the records. After the one-month time period, the request shall be officially closed.

B. Fees for Copying Non-Electronic Public Records. Under Wyo. Stat. Ann. § 16-4-204, an applicant may obtain a paper copy of a non-electronic public record upon payment as follows:

- (i) Standard (8.5x11 inch)-black and white copy \$.10/page
- (ii) Standard (8.5x11 inch)-colored copy \$0.60/page
- (iii) Legal (8.5x14 inch)-black and white copy \$0.25/page
- (iv) Legal (8.5x14 inch)-colored copy \$1.00/page
- (v) Other Sheet size actual cost
- (vi) Photograph actual cost
- (vii) Actual costs associated with utilization of an outside vendor for copying actual cost
- (viii) District's fees as set forth in Section 2(C)(i)-(v), if applicable.
- (ix) Special instances, i.e., film actual cost

C. Payment. The applicant shall pre-pay the fees in Section 3(B) before the District provides the copies, if requested. Payment shall be made to the District.

D. Costs for Producing Copies by Email. An applicant may obtain an electronic copy of a non-electronic public record by email upon payment of the fees set forth in this Section 3 and upon payment as follows:

- (i) Scanning non-electronic public records - \$.10/page
- (ii) Electronic Media(disk,thumb drive,etc.)- actual cost

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E. Fees for Transmitting Public Records. The District may charge the following additional fees for transmitting non-electronic public records:

(i) Actual cost of mailing, including cost of the shipping container

(ii) Actual Cost Of Facsimile.

Wyo. Stat. Ann. § 16-4-201 et seq.

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