

Madison County Public Library Open Records and Records Retention Policy (July 2021)

The Madison County Public Library is subject to the Kentucky Open Records and Open Meetings Act (KRS 61.870-61.884) and certain requirements with regard to records retention.

Requests for Records

The Madison County Public Library Director (or designee) acts as Custodian for all of the library's public records and Open Records Requests (KRS 61.870(5)).

Requests must be in writing and must contain the requestor's name and a description of the documents that are being requested. A form for this purpose is provided, but not required (KRS 61.872(2)).

Mailed requests must be addressed to:
Madison County Public Library
ATTN: Open Records Request
507 West Main Street
Richmond, KY 40475

Requests may be delivered in person to the same address. Requests may also be delivered by fax to 859-623-2032 or emailed to christina@madisonlibrary.org. Open Records Requests made through any other means will not be accepted.

Response

The Madison County Public Library has five business days in which to respond to an Open Records Request. This time period begins to expire the next business day the request is received (KRS 61.880(1)).

The response to a request ideally will contain the materials collected but may instead indicate a reasonable timeframe for securing the requested documents or a reason why the request will not be met (KRS 61.880(1)).

On-site Examination of Records

To the extent a request is granted, Individuals requesting information will be allowed to schedule a time to conduct on-site inspection of non-exempt records during the regular office hours of 9AM-5PM, Monday through Friday. An on-site inspection may be required by the library if the request is not specific in nature or the requestor resides or maintains his or her principal place of business within Madison County (KRS 61.872(3)(a)).

During on-site inspection, a requester may copy non-exempt public records, but may not remove, alter, or add to documents provided for review. The library is responsible for protecting the security of public records in its custody, and may require that a staff member be present during any inspection or copying of its public records.

Exempt Records

The library will not honor requests for personnel or medical records for past or present employees, nor the circulation records for individual patrons. (KRS 61.878(1)(a)) Open Records do not include any records owned by a private person or corporation in possession of the library or one of its employees.

Non-public or exempt information may be redacted as appropriate from copies of otherwise non-exempt public records provided.

Denial of Request

Under certain circumstances, the library may find that a request creates an unreasonable burden and deny the request. Requests that the library believes are intended to disrupt its essential functions may also be denied. To the extent a request is denied, the library will provide evidence to the requester on the basis of its belief and notice of the refusal will be reported to the Office of the Attorney General. Evidence may include an estimation of time/expense to retrieve the records or a duplication in the time/nature of the request (KRS 61.872(6)).

Charges for Requested Documentation

To the extent the request is granted, copies, prints, and scans of any requested materials may be provided at a cost of \$0.10 per page for black and white or \$0.50 per page for color. Requests for specialized or non-standard copies will be provided at the cost incurred by the library to produce them. Payment is expected prior to delivery of the requested pages along with postage costs, as necessary (KRS 61.872 (3)(b)).

The library may also recover costs associated with staff time expended in responding to a request.

Retained Records

The library will maintain and retain records in accordance with applicable laws and regulations.

Such practices will include the permanent retention of:

- Annual budgets
- Audit reports
- Blueprints (duplicate copies may be discarded)
- Board meeting minutes and agendas
- Financial records (not including invoices)
- Library policies
- Official correspondence

Other records not specifically noted or required by applicable laws may be retained or discarded according to applicable timetables.

Destruction of Documents

The library destroys documents regularly as part of its record retention schedule. Once a document has been retained for a sufficient time to satisfy its retention cycle, it is subject to destruction at any time. The Director acts as the Custodian for the library's official documents and will ensure that the schedule of retention and destruction of records is maintained.

A Records Destruction Certificate will be completed and filed with the Kentucky Department for Libraries and Archives' Records Division whenever documents are destroyed according to the retention schedule.

Request to Inspect Public Records

Pursuant to the Kentucky Open Records Act (“the Act”), KRS 61.870 *et seq.*, the undersigned requests to inspect the public records which are described below.

Requester’s contact information.

Name: [REDACTED]

Mailing Address: [REDACTED]

E-mail Address (if applicable): [REDACTED]

Records to be inspected:
[REDACTED]

Statement regarding the use of public records. KRS 61.870(4) defines “commercial purpose” as “the direct or indirect use of any part of a public record or records, in any form, for sale, resale, solicitation, rent, or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee.” However, “commercial purpose” does not include the publication or related use of the public record by a newspaper or periodical, by a radio or television station in its news or informational program, or by use in the prosecution or defense of litigation by the parties to such an action or their attorney.

This request is (choose one):

- NOT for a commercial purpose; or
- FOR a commercial purpose.

Statement regarding residency. I further state that I am a resident of Kentucky because I am (please check one):

- An individual residing in the Commonwealth; or
- A domestic business entity with a location in the Commonwealth; or
- A foreign business entity registered with the Kentucky Secretary of State; or
- An individual that is employed and works at a location within the Commonwealth; or
- An individual or business entity that owns real property within the Commonwealth; or
- An individual or business entity that has been authorized to act on behalf of an individual or business entity listed above; or
- A news-gathering organization as defined in KRS 189.635(8)(b)1a. to e.

Signature: [REDACTED] Date: [REDACTED]