



Monterey Peninsula Regional Park District Policy & Procedure Manual

Title:	Public Records Requests Policy	
Department:	Administration	Effective Date: May 5, 2014
Policy No:	1006	Revisions:

1.1 Policy Statement

The public's right to access information concerning the conduct of the people's business is a fundamental and necessary right. A record shall not be withheld from disclosure unless it is exempt under applicable laws, or the public interest is served by not making the record public clearly outweighs the public interest served by disclosure of the record. The California Public Records Act permits local agencies to adopt regulations stating the procedures to be followed when making their records available to the public.

The Monterey Peninsula Regional Park District (MPRPD) Board of Directors (Board) desire to establish a formal written policy affirming the public's right to access MPRPD records.

1.2 Purpose

The purpose of this policy is to affirm the public's right to access MPRPD records and to set forth the procedures that will facilitate accessibility of information to members of the public.

1.3 Accessing Records Available for Inspection and Copying

- 1.3.1 Records available for inspection and copying include any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by MPRPD, regardless of the physical form and characteristics.
- 1.3.2 The records do not have to be written but may be in another format that contains information such as digital or audio tape recording.
- 1.3.3 "Writing" includes any handwritten, typewritten, printed or photographed record, and every other means of record upon any form of communication or representation such as letters, words, photographs, sounds, or symbols as well as papers, maps, prints and electronic mail.

1.4 Locating and Identifying Records

- 1.4.1 Public records are open to inspection at all times during regular MPRPD business hours.
- 1.4.2 MPRPD's Administrative Office is the centralized recordkeeping location and the location from which all public records requests will be filed and processed.
- 1.4.3 The General Manager or his/her designee will be responsible for responding to requests for records and coordinating the response with other divisions, when appropriate.

- 1.4.4 The General Manager or his/her designee shall also, to the extent reasonably practicable, assist the public in making focused and effective requests for records and information. In assisting the public, the General Manager or his/her designee shall:
 - 1.4.4.1 Assist the member of the public with identification of records and information that are responsive to the request or the purpose of the request, if known;
 - 1.4.4.2 Describe the information technology and physical location in which the records exist; and
 - 1.4.4.3 Provide suggestions for overcoming any practical basis for denying the request.

1.5 Making a Request for Records

- 1.5.1 The preferred form to be used when making records requests is the MPRPD Public Records Request Form (Appendix A). However, requests may be made in writing through mail or e-mail.
- 1.5.2 All requests should contain a reasonable description of the desired records in order to expedite processing of the request.

1.6 Form of Records Provided

- 1.6.1 Records shall be made available in their original form or by a true and correct copy.
- 1.6.2 Photographic and computer data, or any other such records shall be exact replicas. Exact replicas may be in hard copy or scanned digital copy, as determined most practicable by the General Manager.
- 1.6.3 Any reasonably segregable portion of a record shall be provided to the public after deletion of portions that are deemed exempt from disclosure.

1.7 Time for Response

- 1.7.1 Upon receipt of an oral request for records, MPRPD will attempt to respond immediately, but will follow-up in writing with the oral request.
- 1.7.2 Upon receipt of a written request for records, MPRPD will make every effort to promptly provide the records requested.
- 1.7.3 In cases where the records are not readily identifiable or accessible, or additional time is needed to determine whether the request, in whole or in part, seeks copies of disclosable records, MPRPD will have ten (10) days from receipt of the request to provide its determination.
- 1.7.4 In unusual circumstances, MPRPD may extend its time to respond by an additional fourteen (14) days. Should this occur, MPRPD will inform the requestor in writing of the extension within the initial ten (10) day period, setting forth the reasons for the extension, along with the estimated date of MPRPD's further response.
 - 1.7.4.1 Unusual circumstances permitting the extension of time are limited to:
 - 1.7.4.1.1 The need to search for and collect the requested records from facilities separate from the office processing the request;

- 1.7.4.1.2 The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that have been asked for in a single request;
 - 1.7.4.1.3 The need for consultation with another division or another agency that has a substantial interest in the response to the request; and/or
 - 1.7.4.1.4 The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.
- 1.7.5 In responding to requests, MPRPD will provide only specific identifiable records and will not research MPRPD records for particular types of information or analyze information which may be contained within public records.
- 1.7.6 MPRPD will not create a new document to satisfy a records request.
- 1.7.7 A new request must be created each time a new record is desired. Standing requests will not be recognized.
- 1.7.8 If a written request for information is denied in whole or in part, the denial shall be in writing and shall contain the explicit reasons for denial of access to the subject records, as well as the names and titles of each person responsible for the denial.

1.8 Fees and Charges

MPRPD will make identifiable records promptly available to the requesting party upon payment of fees covering direct costs of duplication.