

Open Records

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Reviewed

The library, as a public agency, is required to comply with all applicable state and federal laws and regulations related to Open Records. KRS 61.870 through KRS 61.884 covers the Kentucky General Assembly's intent regarding Open Records. These statutes are further clarified, as necessary, by decisions of the Office of Attorney General.

Requests for records

The Library Director (or designee) acts as Custodian for all 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. Requestors may also use the standardized request form provided by the Kentucky Attorney General's office. KRS 61.872(2)

Mailed requests must be addressed to:

Pendleton County Public Library
ATTN: OPEN RECORDS REQUEST
801 Robbins Avenue
Falmouth, KY 41040

Requests may be delivered in person to the same address. Requests may also be delivered by fax to 859-654-8538 or emailed to mbyrd@pcplibrary.org.

Open Records Requests made through any other means will not be honored. The requestor will be directed to make the request through one of the acceptable methods.

Response

A public agency has five days (excluding Saturdays, Sundays, and legal holidays) in which to respond to an Open Records Request. This time begins to expire the day after 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

Individuals requesting information will be allowed to conduct on-site inspection of records during the regular office hours (9am until 5pm, Monday through Friday). An on-site inspection may be required by the library if the request is not specific in nature or if the requestor resides or maintains an office within Pendleton County. KRS 61.872(3)(a)

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)

Denial of Request

In some cases, 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. In these cases, the library will provide evidence to the requestor of 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 type/nature of the request. KRS 61.872(6)

Charges for Requested Documentation

Copies and prints of any requested materials may be provided at a cost of \$0.10 per page for black and white or \$0.30 per page for color. Requests for specialized copies (i.e. oversized copies) will be provided at the cost incurred by the library to produce them. Payment is expected prior to the delivery of the requested pages along with postal costs, as necessary. KRS 61.872(3)(b)

The library may also charge for staff time in manipulating records in order to produce a desired format.

Retained Records

The library will maintain and retain its records in accordance with applicable laws and regulations. Unless otherwise provided by law, records may be retained or discarded according to the Records Retention Schedules as adopted by the State Libraries, Archives, and Records Commission.

Destruction of Documents

The library destroys documents regularly as a 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 Library 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.

Additional Information

The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies and the Request to Inspect Public Records form, published by the Office of the Attorney General, and other information regarding Open Records Requests may be found online at: <https://ag.ky.gov>.