

## **Compliance with Kansas Open Records Act**

**A)** The Independence Area Public Library was statutorily created pursuant to KSA 12-1281 es seq and is governed by a board of trustees established under that statutory scheme. The Library is supported by tax-generated funds and is subject to the Kansas Open Records Act.

**B)** The purpose of this policy is to establish reasonable fees and charges for providing access to or copies of open records as defined in the KORA. In possession of the Library to avoid the necessity of using general public funds of the Library to subsidize special services and benefits to a record requester. The official record custodian for the Library shall be designated by the board of trustees of the Library. It shall be the duty of the records custodian to ensure compliance with the KORA.

### **C) Inspection Fee**

When a request has been made for providing access to and inspection of any open public record which is readily available to the records custodian, there shall be no inspection fee charged to the requester. In all other cases, the inspection fee shall be a combination of the cost of staff time as further defined herein, and a copying fee, if applicable.

### **D) Cost of Staff Time**

The cost of staff time shall be charged to the requester except as provided in paragraph C above. The records custodian shall determine the cost of staff time to be charged to the requester. The formula to determine the cost of staff time shall be based upon the hourly wages of the staff person conducting the records search, or the annual salary of the staff person conducting the records search divided by 2,080 hours, times the number of hours involved for the records search. The calculation of the hourly rate to be charged shall be made by the records custodian on an as-needed basis based upon the most recent salary information available. The cost of staff time shall include all time spent by Library staff in receiving and reviewing the initial request, contact time with the requesting party, and any follow up or other contact with the requesting party pertaining to the request.

### **E) Copying Fee**

In addition to the cost of staff time, the Library's per page copy fee shall be charged to a record requester for copies provided in hard copy format. No copy fee shall be charged for documents provided in electronic format.

#### **F) Prepayment of Fees**

The records custodian may require prepayment of the fees established by this policy whenever it is felt to be in the best interests of the Library as determined by the records custodian. The prepaid amount shall be an estimate of all fees determined to be applicable in fulfilling the request. No further action shall be required to fulfill the request until such time as prepayment is made. Once prepayment has been made, the search for the records shall begin and production of the records shall then be made consistent with this policy. Any overage or underage of the prepayment amount shall be settled prior to final inspection of the requested records and/or delivery of the requested copies.

#### **G) Commercial Use Prohibited**

When determined applicable in the sole discretion of the records custodian, the requester shall be required to sign an affidavit stating that the public records requested by the requester shall not be used for commercial purposes in violation of KSA 45-230 before any public records are made available to the requester.

*This section adopted July 17, 2019.*