

**TOWN OF FOXBOROUGH
PUBLIC RECORDS
GUIDELINES
(Effective January 1, 2017)**

RECORDS ACCESS OFFICER

1. The new public records law creates a new position entitled **Records Access Officer (RAO)**. The Town Clerk's office has been designated as the RAO for the Town of Foxborough ("**the Town**").
2. The **RAO** is responsible for coordinating responses to public records requests received by **the Town** and for assisting requestors in making informed requests.
3. In order to effectively and efficiently coordinate responses, each department shall designate a primary contact person to work directly with the **RAO**.
4. The **RAO** must establish guidelines which must be posted on **the Town** website by July 1, 2017.

PUBLIC RECORDS REQUESTS

1. Public records requests are made directly to the **RAO**.
2. Public records requests must be in writing (hand delivered, by first class mail, fax or email). If a requestor demands to make a request verbally, the department coordinator should provide as much detail as they can obtain on a form provided by the **RAO**.
3. Public Records Requests must identify all information requested with as much specificity as possible. Although the requestor cannot be required to provide the reasons for the request, more specific directed information can be helpful to allow the **RAO** to provide a fee waiver, where applicable, or make the records available in a timely manner.
4. Upon receipt, requests are logged into the **Central Request Registry ("the Registry")**.

RESPONSES TO RECORDS REQUESTS

1. Upon receipt, the **RAO** will notify the requestor via email (or other appropriate medium) that **the Town** is in receipt of the request and a timely response will follow.
2. Within **10 business days**, the **RAO** shall provide the requestor with the following:
 - A. The right to inspect the record or a copy of the record if it is reasonably described and in the possession of the **Town**, and a **reasonable fee** is paid (**the Town** will make every

- effort to comply with all document requests but it is not required to create documents that are not currently in existence); or
- B. An indication that **the Town** cannot provide, or allow inspection of, the requested documents, along with the reason why they cannot comply (i.e. the document(s) does not exist or an exemption exists which prevents **the Town** from providing the document (A list of exemptions can be found on the Town Clerk page on the Town of Foxborough website); or
 - C. If **the Town** is unable to provide the documents within the **10 day** time frame, **the RAO** shall notify the requestor of the reason they cannot comply timely and shall coordinate with the requestor for additional time to comply with the request (municipalities may be allowed up to **15 additional days** to comply); or
 - D. If **the Town** is unable to meet the timeline, **The RAO** may petition the Supervisor of Public Records for **additional time** beyond the **25 day period**.
 - E. Personal emails of employees (unless used for town business) or their relatives, phone numbers, dates of birth, social security numbers or any other private personal information are considered exempt and shall not be made available in a response to a public records request.
3. All responses to requests will be made by the **RAO** via email unless other delivery arrangements are made by the requestor directly with the **RAO**.

FORMATTING OF RECORDS

1. **The Town** will post most commonly available records on **the Town** website, to the extent feasible.
2. Records must be provided in a format that is desired by the requestor, to the extent feasible, but **the Town** is not required to create records that do not exist. It is highly recommended that a department cooperate with a request to format a record in a medium requested if it can be done without requiring a substantial time commitment.
3. Any electronic records must be produced electronically, unless records are not stored electronically or the requestor is unable to receive or access electronic records.

FEES

1. **The Town** will make reasonable efforts to limit cost to the requestor.
2. If the record is freely available to the public or if employee time to complete the response (i.e. search, retrieval, segregation, redaction and production) is less than 2 hours, no fee will be charged.
3. **The Town** is permitted to charge **5 cents per page**, for black and white copies.

4. **The Town** may also charge for employee time to search, retrieve, segregate, redact, process, copy or otherwise process documents. Time may be charged at the hourly rate of the lowest paid employee capable of performing the task, but not more than \$25.00 per hour. Once the time an employee spends to address a particular records request exceeds two hours, any time incurred by **the Town** may be charged, including the first two hours.
5. Prior to complying with a public records request, the **RAO** shall provide the requestor with a detailed estimate of any cost involved in providing a response to the request. Upon receipt of the estimated fee, the **RAO** shall provide the requestor with all relevant records which comply with the request.