Hardin County Public Library
Open Records Request and Records Retention Policy

The library, as a public agency, is required to comply with all applicable state and federal laws and regulations related to Open Records. All public records shall be open for inspection by any resident of the Commonwealth, except as otherwise provided by KRS 61.870 to 61.884. 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, and the requestor's signature. Requestors may use the standardized request form provided by the Kentucky Attorney General's office but are not required to do so. KRS 61.872(2)

Mailed requests must be addressed to:

Hardin County Public Library
ATTN: OPEN RECORDS REQUEST
100 Jim Owen Drive
Elizabethtown, KY 42701

Requests may be delivered in person to the same address. Requests may be faxed to (270) 769-0437. Scanned copies of the written requests may be submitted via email to the Director with the subject line: OPEN RECORDS REQUEST. Email should be sent to mailto:hcpllaurelt@gmail.com

Open records requests made through any other means will not be honored. The requestor will be directed to make the request in printed form and delivered 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 of administration staff. 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 Hardin County. Public Records must be inspected in the location set by the Library. 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. 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) Certain public records are exempted from inspection except on order of court. KRS 61.878

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
The library is not required to make a printed copy of a digital record nor to provide a digital copy of printed record. Copies of any requested materials may be provided at a cost of $0.10 per page. Requests for specialized copies (i.e. color or oversized copies, other physical formats) 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. Hardin County Public Library may also recover costs associated with staff time expended in responding to a request made for a commercial purpose. KRS 61.872(3)(b)

Retained records
The library will maintain and retains 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 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.

Adopted by the Hardin County Public Library Board of Trustees this 14th day of June, 2012.

Revised by the Hardin County Public Library Board of Trustees this 15th day of July, 2021.

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OPEN RECORDS REQUEST TO INSPECT PUBLIC RECORDS
THIS COMPLETED FORM SHOULD BE SUBMITTED TO THE LIBRARY DIRECTOR.

Name: _____ Date: _____
Last First

Mailing address: _____

City: _____ State: _____ Zip: _____

Email: _____ Best phone number: _____

Signature_____

Please describe below the records that are requested: (attach additional sheets as needed)

_____

_____

_____

_____

Please note all applicable statutes regarding open records requests may be found in KRS 61.870-884 and include:

- *The use of this form is not required for an open records request.*
- *The library has five (5) business days, not including the day a request is submitted to respond to an open records request. Business days do not include weekends and legal holidays.*
- *Please indicate whether you wish to review records on agency premises or receive copies by mail.*

This request is (choose one): [ ]
NOT for a commercial purpose; or [ ]
FOR a commercial purpose.

<u>Statement regarding residency</u>. 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.

FOR LIBRARY USE ONLY

Date received: _____ Name:_____
Date of response: _____ Date records sent: _____

Printed name: _____

Signature: _____ *Date:*_____

☐ *The request is granted.*

*Total amount charged to applicant to fulfill request: $*_____

☐ *The request is denied based on the following exemption:*

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