

Policy No.: 2016-06-01

**EL CAMINO REAL ALLIANCE
BOARD POLICY
ACCESS TO PUBLIC RECORDS**

Requests for public records shall be made to the main office. The Executive Director or designee may then determine the most appropriate employee of El Camino Real Alliance (“ECRA”) to assist in assembling any public records for production.

Any person may request a copy of any public record open to the public and not exempt from disclosure. While a request need not be in writing, if the request is verbal, the requester will be asked to reduce the request to writing so there is a written record of the records being requested. If the requester chooses not to reduce the request to writing, the Executive Director or designee shall reduce the request to writing and confirm the request with the requester. The request for public records must clearly identify the records requested, along with the name and mailing address of the requester.

Provisions of the California Public Records Act (Government Code Section 6250 *et seq.*) shall not be construed so as to delay access for purposes of inspecting or receiving copies of records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial.

ECRA may charge for copies of public records or other materials requested by individuals or groups. The charge, based on the direct cost of duplication and reasonable necessity, has been set by the Board of Directors at 25 cents (\$0.25) per page. The direct cost of duplication and reasonably necessary fee includes the pro rata expense of the copying equipment and supplies used.

Requests to waive associated fees related to the direct cost of duplication shall be submitted to the office of the Executive Director. The Executive Director may, but is not required to, waive fees in his or her discretion. The Executive Director or designee will consider the following criteria, not necessarily in this order, when a fee waiver is requested: a showing by a requester that disclosure of the desired records will further the “public interest;” the requester identifies why he or she wants the administrative record, what he or she will do with it, and to whom he or she plans to distribute the record; the requester’s ability to pay the fee; and whether the administrative costs of collecting the fee would exceed the revenue to be collected.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other applicable statutes.

Within ten (10) days of receiving any request for a copy of records, the Executive Director or designee shall determine whether the request seeks copies of disclosable public records in the possession of ECRA, shall promptly inform the person making the request of ECRA’s intent to

comply with the request, and shall indicate that date that the disclosable public records shall be made available.

In unusual circumstances, the Executive Director may extend the 10-day time period for an additional fourteen (14) days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include, but only to the extent reasonably necessary to properly process the request, the following:

1. The need to search for and collect the requested records from field facilities or other locations that are separate from the office processing the request;
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request;
3. The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request, or among two or more components of ECRA having substantial subject matter interest therein;
4. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

If an inspection is requested, any person shall have reasonable access, during normal business hours (between the hours of 8:00 a.m. and 3:00 p.m.), to the public records of ECRA within the requirements of state law. However, if records are not readily available, or if portions of the records to be inspected must be redacted to protect exempt material, then ECRA must be given a reasonable period of time to perform these functions prior to inspection. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

Adopted: June 22, 2016