



LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT POLICY & PROCEDURES

Section
280

Public Records Request Policy

Department Affected: **ALL**

Subject: **Public Records Request Policy**

Effective Date: **09/12/2013**

New

Revised

Index Code: BAM 280-1-POL.1.S

Originating Department: **BAM**

Introduction

The Las Vegas-Clark County Library District is committed to providing access to public records in accordance with Nevada Revised Statutes. All public records, the contents of which are not otherwise declared by law to be confidential, shall be open for inspection or to obtain copies. The District may make reasonable rules governing the time, place and manner of inspection and copying. The requestor may ask for copies to be provided in any medium in which the record is readily available. Copies or electronic duplicates of District records may be substituted in lieu of the original records and reasonable costs may be collected. Original public records must not be removed from District libraries during inspection by members of the public and must be monitored by an employee while any review is being conducted. Only records that already exist may be requested. The District is not obligated to create a record in response to a request for a public record.

Office Where Request Must Be Filed

All requests to inspect and/or obtain copies of public records must be filed with the District's Public Relations office at the Library District's Service Center, 7060 W. Windmill Lane, Las Vegas, NV 89113; telephone: (702) 507-6285; fax (702) 507-6287. Service Center reception is open to the public from 10 a.m.-5 p.m., Monday-Friday.

Standard Form for Requests

Requests for records must be submitted to the Public Relations office using the [standard form](#), for such requests ([Public Records Request form](#)). If the requester is unable to submit a request in writing, the requester may call the Public Relations office which will provide assistance in completing the request form.

Requests will be processed in the order in which they are received. A Public Records Request form can be faxed to you by calling (702) 507-6285, or may be found on the District's website at www.thelibrarydistrict.org under "About Us"/Plans, Publications, Policies and Requests for Proposals. Completed requests may be hand-delivered, mailed or faxed to (702) 507-6287.



Action on Requests: Public Meeting Minutes

Copies of minutes or audiotapes of public meetings will be made available upon request at no charge within 30 working days after the adjournment of the meeting at which the minutes were taken.

Action on Requests: Other Public Records


Requests to inspect and/or obtain copies of public records will be approved or denied without undue delay but no later than within five days of the receipt of the request. If the request conforms to the standards described above, the request will be approved. If the record is readily available, it will be made available upon request, unless it is determined that approving the request would result in disclosure of information that is confidential.

As Nevada Revised Statutes do not provide a definition of "public record," the status of records requested may not be readily ascertainable. Where the public or confidential status of a requested record is unclear, the Nevada Supreme Court has allowed a "balancing test" that weighs the interests of nondisclosure against the general policy in favor of open government. Should there be any doubt as to confidentiality or whether the item requested is a public record, staff will seek the advice of legal counsel before acting on the request.

If a request is approved, staff will, after discussing the request with the office(s) in possession of the records, provide an estimate of when the records are likely to be available to the requester. If the request is denied, staff must provide the specific exemption(s) authorizing the withholding of all or part of the requested record.

Fees

Inspect	No charge. Inspections must be conducted at the District's Administrative Offices or, for materials referenced for posted board meetings, at the location of posted Board meetings when convened.
Photocopy	No charge for copies of minutes of public meetings. 25 cents per standard (8½ x 11) single sided page. Public records that cannot be readily reproduced on standard paper by a standard photocopying process may have additional costs. If the estimated cost of the copies is \$25 or more, payment in full is required before the copying will be done.
Certification	\$2 per page
Audiotapes	No charge for copies of audiotapes of public meetings.
Postage	First-class postage will be applied.



Other charges may apply to cover costs of reproducing materials in other mediums, and when there are additional costs to the District such as extraordinary staff time or resources to complete the request.

If extraordinary staff time or technological resources are required to complete the request, the District may charge additional fees not to exceed 50 cents per page for that extraordinary use. The District defines extraordinary staff time as any time over 30 minutes required to retrieve for inspection and/or copy the record.

NRS 239.055 defines "technological resources" as "any information, information system or information service acquired, developed, operated, maintained or otherwise used by a governmental entity."

Materials will be held for 14 days. If not retrieved, charges will be levied for a second reproduction in addition to any unpaid charges. Advance payment will be forfeited if material is not retrieved.

Applicable fees must be paid in full before the records will be sent or made available to the requestor.

Authorities

NRS 239.010

Public books and public records open to inspection; copyrighted books, and records; copies to be provided in medium requested

NRS 239.0105

Confidentiality of certain records of local governmental entities

NRS 239.013

Confidentiality of records of library which identify user with property used

NRS 239.030

Furnishing of certified copies of public records

NRS 239.055


Additional fee not to exceed 50 cents per page when extraordinary use of personnel or resources is required

NRS 241.025(2)

Minutes of public meetings are public records; minutes or audiotape recordings of the meetings must be made available for inspection by the public, and a copy of the minutes or audio recordings must be made available to a member of the public upon request at no charge, within 30 working days after the adjournment of the meeting at which taken

State of Nevada, Office of the Attorney General, Opinion No. 2002-32

Allows for the establishment of a reasonable time threshold to define extraordinary use of personnel



or technological resources necessitated by an unusually burdensome request for copies of public records

Adopted by the Las Vegas-Clark County Library District Board of Trustees on November 8, 2012; revised and adopted on September 12, 2013.