

CENTRAL COVENTRY FIRE DISTRICT
POLICIES AND PROCEDURES FOR THE REQUEST OF RECORDS
PURSUANT TO RIGL § 38-2 ET SEQ.

The public's right to access to public records and the individual's right to dignity and privacy are both recognized to be principles of the utmost importance in a free society. The purpose of these policies is to facilitate public access to public records. It is also the intent of the Board of Directors, ("Board"), as the governing body of the Central Coventry Fire District ("CCFD") to protect from disclosure information about particular individuals maintained in the files of public bodies when disclosure would constitute an unwarranted invasion of personal privacy.

The request to inspect or copy records of public bodies is governed by the provisions of the Rhode Island General Laws 38-2-1 *et seq.*, entitled "Access to Public Records" Act ("APRA"). There are several pertinent and applicable sections of the APRA that citizens should be aware of: RIGL §§ 38-2-2 ("Definitions"), 38-2-3 ("Procedures for access"), 38-2-4 ("Cost") and 38-2-7 ("Denial of access"). For further reference, the APRA is contained in Volume 6A of the General Laws of Rhode Island and is available for review at public libraries or on-line at: <http://www.rilin.state.ri.us/Statutes/TITLE38/38-2/INDEX.HTM>

It is the policy of the CCFD that the District Clerk shall be the designated Public Records Officer for requests made to the CCFD. All requests pursuant to the APRA shall be made to the District Clerk on the *Public Records Request Form*, which shall be available on line at the CCFD's website [www.centralcoventryfd.com] or at Central Coventry Fire District Office, 240 Arnold Road, Coventry, RI 02816 between the hours of 8:30 am – 4:00 pm, Monday – Friday. If the request is readily identifiable as a public records request, the District Clerk shall not require that the requestor use a *Public Records Request Form*.

Upon receipt of an APRA request, the District Clerk shall document the receipt of said request (i.e. date-stamped receipt), maintaining the original request in a file. A copy shall be given to the requestor and a copy shall be scanned and communicated to the attention of the person with the most knowledge to answer said request. An e-mail copy of the request shall also be sent by the District Clerk to the Board Chairman and the Clerk of the Board. Any response that is provided, whether at the time of the request or thereafter within the statutory timeline(s), shall be copied and also sent via electronic mail to the Board Chairman and the Clerk of the Board. If the information is readily available, the District Clerk shall provide the records and note how the request was handled on the *Public Records Request Form*, whether or not the requestor has made a request using the form.

At the option of the requestor, the District Clerk shall provide copies of public records electronically, by facsimile, or by email, unless doing so would be unduly burdensome due to the volume of records requested or the costs that would be incurred. The requestor shall be responsible for the actual cost of delivery, if any.

If the requested information is not readily available to the District Clerk, then the District Clerk shall direct the request to the person with the most knowledge to answer said request. If it is determined that responding to the request will require more than two (2) hours of retrieval time, or that the amount of documents requested is voluminous, the District Clerk shall notify the requestor and provide estimated charges for retrieval time and copying costs (not to exceed the statutory limit of \$.15 per page and \$15.00 per hour, with no charge for the first hour). If the cost of production of the information is estimated to exceed ten dollars (\$10.00), the District Clerk shall request that payment be due at the time the request is made, or before the information is compiled, so as to reduce unnecessary administrative expenses associated with gathering documents and information that is requested but not picked up.

The District Clerk shall contact the requestor to inform him/her that the request is ready; all necessary fees shall be collected by and paid to the District Clerk. The District Clerk shall maintain a log of all requests, responses, and costs.

As set forth in the APRA, [RIGL § 38-2-3 (c)], a written request for public information need not be submitted for records available pursuant to RIGL § 42-35-2 or for those documents that are prepared for or readily available to the public. Such records that are maintained by the CCFD are available for inspection and may be reviewed at Central Coventry Fire District Office, 240 Arnold Road, Coventry, RI 02816 between the hours of 8:30 am – 4:00 pm, Monday – Friday.

If you have any questions about the availability of these records, you should contact the District Clerk to ascertain if the requested documents are maintained by the Clerk. For a copy of documents that are readily available to the public, there is no charge.

For those records that have not been prepared for or are not readily available to the public, the requestor should submit a written request as set forth above.

If there is a question as to whether the requested records are indeed classified as “public records”, or if the request seeks information which is confidential, protected, or subject to privilege, the District Clerk shall obtain an opinion and recommendation from the Solicitor’s Office. The District Clerk shall notify the requestor in writing as to the determination of whether the requested records may properly be disclosed.

After the requested payment for any copying or retrieval charge(s) has been received by the District Clerk, copies of records that may be properly released shall be sent to requestor according to the delivery preference. US Mail, postage pre-paid shall be the delivery option if no alternate request is made.

Promulgated/Revised, July 2013.