

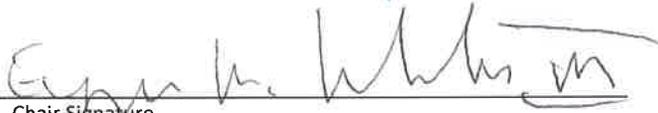


Hyalite Rural Fire District

Document Approval Form

Document Name:	<i>HRFD Public Record Request Policy</i>
Document Type:	<i>Board Policy</i>
Document Number:	<i>2019-001</i>
Version Number:	<i>1.0</i>
Date Approved:	<i>April 16, 2019</i>

Approved by motion of the Hyalite Rural Fire District Board of Trustees, as reflected in the Board Meeting minutes of *April 16, 2019*.


Chair Signature

Eugene M. Geddes, III
Printed Name

OR

Approved by the Hyalite Rural Fire District Fire Chief.

Fire Chief Signature

Jason Revisky
Printed Name



Hyalite Rural Fire District

Public Records Request Policy

DOCUMENT INFORMATION

Document Type:	Board Policy
Document Number:	2019-001

VERSION CONTROL

Version	Approved By	Approved Date	Summary of Changes
1.0	Board of Trustees	April 16, 2019	New document, document number assigned. Incorporates review by Office of Gallatin County Attorney.

POLICY

The purpose of this Public Records Request Policy is to provide guidance on how Hyalite Rural Fire District (HRFD) is to properly coordinate and respond to public records requests from any individual or entity, in accordance with [Title 2, Chapter 6, Part 10, Montana Code Annotated \(MCA\)](#).

Public Records

Public records of HRFD means information prepared, owned, used, or retained by HRFD relating to the transaction of official business, regardless of form – paper, electronic, or other format. Public records exclude confidential information – information that is accorded confidential status or is prohibited from disclosure per applicable law. Examples of confidential information are confidential criminal justice information and attorney-client communications.

Except for confidential information, all records kept by HRFD are public information. The public has the right to examine and obtain a copy of all public records held by HRFD.

Safety & Security Exception

Pursuant to [§ 2-6-1003\(2\), MCA](#), HRFD may withhold public records from release regarding individual or public safety or the security of public facilities that, if released, would jeopardize the safety of facility personnel or the public.

Before disclosing public records, HRFD personnel shall determine if release of the information will jeopardize the safety of facility personnel or the public, or the security of public facilities. If the release will so jeopardize safety or security, the HRFD shall redact such information from the public records requested. The HRFD should not withhold from release any more information than is necessary to

protect individual or public safety or the security of public facilities. HRFD personnel may consult with the County Attorney's office to determine the extent of the information to be withheld or redacted.

Individual Privacy Interest Exception

HRFD also may withhold public records from release to protect an individual's privacy. Such information may be personal information (SSN, DOB, addresses, medical information, etc.) of its employees or volunteers, or members of the public.

When a request is made that concerns a person's privacy interest, HRFD shall examine the public documents responsive to the request and make an initial determination as to whether the public information should be disclosed. This determination must take into consideration the subject matter of the records and the nature of the information sought.

HRFD shall then contact the individual in question, inform them of the information requested, inform the individual of its decision, and ask whether the person is asserting their right of privacy over the information. If the individual does wish to assert their right of privacy, HRFD must further determine if the individual's privacy interest outweighs the interests of public disclosure. If the HRFD makes a final determination to disclose the information, it should provide the subject individual with at least two weeks advance notice prior to the disclosure. If the individual does not wish to assert their privacy interest, HRFD shall disclose the information as requested.

HRFD may consult with the County Attorney's Office to determine what privacy information may be withheld or disclosed.

Requests and Fees

The person(s) making a public records request should make the request in writing to HRFD, indicating the information they want produced. HRFD must respond within five business days, in writing, with an estimate of how long it will take to produce the information and any fee associated with producing the information. In accordance with [§ 2-6-1006\(3\), MCA](#), "the fee may not exceed the actual costs directly incident to fulfilling the request in the most cost efficient and timely manner possible." HRFD may require payment of the estimated fee prior to identifying and gathering the requested information.

HRFD will not honor "standing" public records requests that demand future copying or production (i.e., "please forward all future meeting minutes..."). HRFD is also not required to alter or customize public information, such as the format of the information, to meet a public record request. However, should HRFD agree to customize format for a requester, the cost of the customization may be included in the fees charged for the request.

Records Request Redactions and Denials

If the HRFD redacts or denies all or any portion of a public records request, the HRFD shall provide a written explanation for the redaction or denial as required by [§ 2-6-1009, MCA](#). The response shall: (1) provide a general description of the records withheld from production or redacted; and (2) explain the basis for the redaction or denial.

Records Manager

Pursuant to [§ 2-6-1002\(14\), MCA](#), the HRFD Fire Chief is designated as the Records Manager, responsible for coordinating the efficient and effective management of the agency's public records and information. The Records Manager will confer with the Gallatin County Attorney's Office to clarify any questions or issues pertaining to responding to a public information request.

PROCEDURE

When HRFD receives a public records request, the following procedures shall be followed:

1. The HRFD employee receiving the public records request will:
 - a. Capture as much information as possible about the request, such as contact information, what documents are being requested, and any specific information such as dollar amount threshold, delivery expectations, time expectations, etc. (NOTE: While a public records request does not have to be in writing as a prerequisite for completing a request, a written request is preferable.)
 - b. Forward the request to the HRFD Administrative Assistant.
2. The Administrative Assistant will:
 - a. Confer with the Records Manager and other appropriate personnel to determine effort, resources, and time needed to meet the request and any fees associated with meeting the request. This determination should consider how any confidential information and any safety and security information will be handled.
 - b. Respond within five business days, in writing, to the requester with what information will be produced, what information is not being produced and why, what format the information will be in, an estimate of how long it will take to produce the information, and any fee associated with producing the information.
 - c. Arrange for payment of any fees due from the requester, if needed.
 - d. File hard and electronic copies of the original request and the initial response in HRFD files.
 - e. If needed, coordinate communication with individuals regarding their privacy information, and retain documentation of communication to and from the individual.
 - f. If needed, consult with the County Attorney's Office to determine if any information needs to be redacted regarding individual or public safety and security, or privacy information.
 - g. Coordinate compilation and review of the information.
 - h. Perform any necessary redaction of confidential information.
 - i. Obtain the approval of the Records Manager to release the compiled information.
 - j. Provide the compiled information to the requester with a final response identifying the information that is produced. If any information is not produced or redacted, generally identify the category of records excluded from production and explain why the records are not being produced or were redacted.
 - k. File hard and electronic copies of the compiled information, final response, and associated correspondence in HRFD files.