

Open Records Policy

Purpose

The purpose of this policy is to assure compliance with Act 3 of 2008, the Pennsylvania Right-to-Know Law, as amended; to provide access to public records of the Joseph & Elizabeth Shaw Public Library (library); to preserve the integrity of the library's records; and to minimize the financial impact of the residents regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.

Public Records

A "Public Record" is defined as any record, including financial records, of a commonwealth or local agency that is not exempt under section 708 of Act 3 of 2008, is not exempt from being disclosed under any other federal or state law or regulation or judicial order or decree, or is not protected by a privilege.

Records are also information, regardless of physical form or characteristics, that document a transaction or activity of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically, and a data-processed or image-processed document.

Inspection

Public records are open to inspection and for duplication during normal office hours, 9:00 a.m. to 5:00 p.m., Monday through Friday, except for holidays, subject to the regulations set forth herein.

Open Records Officer

The designated "Open Records Officer" shall be the Joseph & Elizabeth Shaw Public Library Director, who shall designate certain employee(s) to process public record requests. The Library Director is responsible for minimizing, where possible, the financial impact to the library regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copy of public records.

Upon receipt of a written open records request, the Library Director or his/her designee shall:

- Note the date of receipt on the written request.
- Compute the day on which the five-day period will expire and make a notation of that date on the written request.
- Maintain an electronic or paper copy of the written request, including all documents submitted with the request until the request has been fulfilled. If the request is denied, the written request shall be maintained for 30 days or, if an appeal is filed, until a final determination is issued or the appeal is deemed denied.

Open Records Request

A written request for access to records may be submitted in person, by mail, by e-mail, by facsimile or, provided by way of the library's Open Records Request form. A written request must

be addressed to the Library Director. All employees who receive a request shall immediately forward requests for records to the Library Director. Regardless of the form received, no employee shall determine if the request is in its proper form. A written request should identify or describe the records sought with sufficient specificity to enable the Library Director ascertain which records are being requested and shall include the name and address to which the library should address its response. A written request need not include any explanation of the requester's reason for requesting or intended use of the records unless otherwise required by law.

Redaction

While the library will disclose public records subject to access, the library is not required to synthesize, compile, maintain, format, or organize records in response to a request. When a public record exists, the library will separate and exclude any records which are not public records or which are otherwise excluded or exempted from the definition of public records. If separated, the library shall redact from the public record the information which is not subject to access, and the response shall grant access only to the information which is subject to access. Attached is a list of public records that are not subject to public access.

Response

Within five (5) business days from the date the request is received, the library will (1) provide the records requested; (2) deny the request by notifying the requestor in writing; or (3) send a written notice that the records cannot be provided within the initial five (5) business days. If it is determined that the request cannot be honored within the initial five (5) days, a notice will be issued specifying a date when the records may be expected but, in no case, will the time be longer than 30 additional days. If no response is made within the five (5) business days of receipt of written request, the request shall be deemed denied.

Fees

A request for copies of public records or information produced therefrom must be accompanied by payment of fees to cover the direct costs of duplication if the cost is estimated to be \$100 or more. Reasonable fees to cover direct costs incurred by the library may be charged, as set by the Pennsylvania Office of Open Records.

Denials

If the library denies a written request for information, whether in whole or in part, a written response will be sent by the Library Director to the requestor with: (1) a description of the record requested; (2) the specific reasons for denial, including a citation of supporting legal authority; (3) contact information for the Library Director; (4) date of response; and (5) procedure to appeal the denial.

Appeals

Requestors receiving a denial either in part or whole of a submitted request have the right to appeal that denial of information in writing to the Appeals Office, c/o Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120 for a review.

Within 30 days of the mailing date of the final determination of the appeals officer, a requestor or the library may file a petition for review as required by rule of court with the Centre County Court of Common Pleas. The decision of the court shall contain findings of fact and conclusions of law based upon the evidence as a whole. The decisions shall clearly and concisely explain the rationale for the decision. A petition for review shall stay the release of documents until a decision is issued.

Repeal of Inconsistent Agreements, Policies or Resolutions

Any and all other agreements, policies or resolutions, or parts of agreements, policies or resolutions in conflict herewith, are hereby repealed.

Public Records Exempt from Public Access

Include:

- Library circulation records
- Personnel records, including letters of reference, performance ratings, applications of those not hired, and material related to grievances, discipline and written criticisms
- Personal identification information
- Records related to infrastructure security
- Records related to computer security
- Records related to donations that would disclose the identity of a donor to the agency
- Records related to personal security and public safety
- Drafts of minutes, policies, and regulations
- Minutes of executive sessions
- Notes and working papers used by a public official or employee solely for personal use
- Records of internal pre-decisional deliberations, including deliberations relating to proposed policies, budget recommendations, and internal strategies

Collection Development Policy

Introduction

Joseph & Elizabeth Shaw Public Library provides free library service to all persons living in the service area of Clearfield Borough, Lawrence and Bradford Townships.

Through cooperation with other area libraries and by participation in the Central Pennsylvania Library District programs, Joseph & Elizabeth Shaw Public Library attempts to provide a wide variety of library resources and services to individuals and community groups in the service region.

The collection development policy is intended to implement the general objectives of the Joseph & Elizabeth Shaw Public Library mission to serve the recreational, educational, informational, and cultural needs of our community. The library strives to promote the lifelong learning concept and to encourage the personal growth of the citizens of our community.

This policy was revised and approved by the Board of Trustees of Joseph & Elizabeth Shaw Public Library on **October 13, 2011**. The policy is to be reexamined on an annual basis by the Board of Trustees in consultation with the Library Director. The Library Director is responsible for implementing this policy.

Selection Statement

A. General Statement

The library purchases, within budgetary limitations, the best materials of both permanent and current interest in all subjects. The selection of library resources is a prime activity within the library and is based on the needs and requests of the community which it serves.

B. Responsibilities

Final responsibility for selection of all library materials rests with the Library Director, who operates within the framework of policies determined by the Board of Trustees.

Problems associated with collection development will be referred to the Library Director for resolution. Suggestions from other staff members and library users are encouraged and seriously considered.

C. Criteria for Selection

Selection of books and audiovisual materials draws upon the Library Director's experience and knowledge of the available resources, the existing collection, and the community (its needs, demands, and other library holdings). The overall value of the material to the collection is the chief criterion for selection.

Factors considered in recommending library materials for purchase are:

- The author's authority and competence.
- Importance of the subject matter to the collection.
- Scarcity of material on the subject.
- Timeliness or permanence of the item.
- Appearance of the title in standard bibliographies or indexes.
- Clarity and accuracy of presentation.