

Revised – June 23, 2014

COWIB Open Records Policy

Pursuant to the Oklahoma Open Records Act
December, 2005

(Approved by the COWIB ... December 21, 2005)

(Pending Approval by the Board of Local Elected Officials ...)

PURPOSE: To ensure and facilitate the public's right of access and review of government records so they may efficiently and intelligently exercise their inherent political power. (Reference: Oklahoma Open Records Act, 24A.2.)

AUTHORITY: The authority for this policy derives from Section 117(e) of the federal Workforce Investment Act of 1998 (WIA) which requires all local workforce investment boards to comply with the "Sunshine Provision" of WIA:

"(e) Sunshine Provision. -- The local board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth activities, and on request, minutes of formal meetings of the local board."

BACKGROUND: As a public body created by the Board of Local Elected Officials, and supported in whole or in part by public funds, the Central Oklahoma Workforce Investment Board has the duty to comply with the Oklahoma Open Records Act. The Act provides that, with some exceptions, all records of public bodies shall be open to any person for inspection, copying, and/or mechanical reproduction during regular business hours. Within the Open Records Act, there is a provision that a public body may charge a fee for recovery of the costs of document copying.

LOCAL POLICY:

(1) Records open for public inspection. It is hereby made the duty of every official and employee of the Central Oklahoma Workforce Investment Board, who keeps public records pertaining to the COWIB or its Board of Local Elected Officials, to keep such public records available and open for public inspection for proper and reasonable purposes, during all business hours of the day; provided, however, the provisions of this section shall not apply to any records which are required by law to be kept secret or confidential.

The COWIB's Chief Executive Officer is hereby authorized to establish reasonable procedures to:

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- (a) Provide prompt, reasonable access to the COWIB’s records during regular business hours; and
- (b) Protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions. (Reference: Oklahoma Open Records Act, 24A.5.5)

(2) Confidential Federal Records. As provided in the Oklahoma Open Records Act, any records coming into the possession of the COWIB and/or LEO or records generated or gathered as a result of federal legislation may be kept confidential to the extent required by federal law. (Reference: Oklahoma Open Records Act, 24A.13)

(3) Fees for copies of or searches for COWIB records. Persons desiring copies of or searches for any records of the COWIB or its Board of Local Elected Officials shall pay to the COWIB, Inc., such fees as are established in Attachment A, General Schedule of Fees. (Reference: Oklahoma Open Records Act, 24A.5.3)

Pursuant to the Open Records Act: “...A public body may charge a fee... for recovery of the reasonable, direct costs of record copying, or mechanical reproduction.”

Pursuant to the Open Records Act: “In no case shall a *search fee* be charged when the release of said documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.”

Pursuant to the Open Records Act: “Fees shall *not* be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information.”

COWIB interprets the Open Records Act to state that a public body is permitted, but not required, to charge search fees and copying fees, etc., under certain circumstances as described in the Act. Therefore, COWIB has published the General Schedule of Fees given in Attachment A of this policy. However, COWIB retains the authority to waive the imposition of fees in instances in which the amount of the fees to be charged is so small as to be considered negligible.

(3) Policy Addenda. The COWIB Chief Executive Officer is authorized to issue additional instructions, guidance, forms, etc., to further implement the requirements of this policy.

Inquiries about this policy may be directed to the COWIB’s Program Operations Manager at (405) 622-2030.

Attachment A

General Schedule of Fees

**Copies of COWIB &/or LEO Board records; inspection of public records
Established: December, 2005**

Except as otherwise provided in this schedule or by State statute, the fees for inspection and copying of public records shall be:

- (a) Photocopy of public document, per page, of any documents not exceeding 8 1/2" × 14" in size . . . \$0.25
- (b) Photocopy of public document, per page, of any document exceeding 8 1/2" × 14" in size . . . 1.00
- (c) Search fee for time spent locating requested records, when the request is:
 - (1) solely for commercial purpose; or
 - (2) clearly would cause excessive disruption of essential COWIB / LEO functions; each quarter hour or any portion thereof . . . 4.00
- (d) Computer generated reports, audio tapes and/or video tapes, not including search time, per hour of production time or any portion thereof . . . 35.00
- (e) Photographs:
 - (1) all 5" × 7" photographs provided as a picture on photo paper, each . . . 3.50
 - (2) all digital photographs provided as electronically recorded file, provided on digital media, if available and resources allow, each . . . 2.00
- (f) Handling charge to prepare documents for mailing or shipping, pickup or to electronically deliver or transmit documents, per request, if available and resources allow, per quarter hour or any portion thereof, plus postage if applicable . . . 4.00

NOTE:

Pursuant to Section 24A.5 of the Oklahoma Open Records Act, "Any public body establishing fees under this act shall post a written schedule of fees at its principal office and with the county clerk."