

PUBLIC RECORDS POLICY FOR THE
KNOX COUNTY RETIREMENT AND PENSION BOARD

Pursuant to Tenn. Code Ann. § 10-7-503, the following Public Records Policy for the Knox County Retirement and Pension Board (hereinafter the “KCRPB”) is hereby adopted by the Board of Commissioners to provide economical and efficient access to public records as provided under the Tennessee Public Records Act (“TPRA”) in Tenn. Code Ann. § 10-7-501, et seq.

The TPRA provides that all state, county and municipal records shall, at all times during business hours, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A).

Concerns about this Policy should be addressed to the Public Records Request Coordinator for the KCRPB or to the Tennessee Office of Open Records Counsel (“OORC”).

This Policy is available for inspection and duplication in the administrative office of the KCRPB. This Policy is posted online at www.knoxcounty.org/retirement . This Policy shall be reviewed every two years.

This Policy shall be applied consistently throughout the various offices, departments, and/or divisions of the KCRPB.

I. Definitions:

- A. Records Custodian: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.
- B. Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. § 10-7-503(a)(1)(A).
- C. Public Records Request Coordinator. The individual, or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.
- D. Requestor. A person seeking access to a public record, whether it is for inspection or duplication.

II. Requesting Access to Public Records

- A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.
- B. Requests for inspection may be made orally or in writing using the Public Records Request Form at 400 Main Street, Suite 371, Knoxville, Tennessee 37902 or by phone at 865-215-2323.
- C. Requests for copies, or requests for inspection and copies, shall be made in writing using the Public Records Request Form at 400 Main Street, Suite 371, Knoxville, Tennessee 37902.
- D. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license, or alternative acceptable form of ID acceptable to the records custodian, is required as a condition to inspect or receive copies of public records.

III. Responding to Public Records Requests

A. Public Record Request Coordinator

- 1. The PRRC shall review public record requests and make an initial determination of the following:
 - a. If the requester provided evidence of Tennessee citizenship;
 - b. If the records requested are described with sufficient specificity to identify them; and
 - c. If the KCRPB is the custodian of the records.
- 2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):
 - a. Advise the requestor of this Policy and the elections made regarding:
 - i. Proof of Tennessee citizenship;
 - ii. Form(s) required for copies;
 - iii. Fees (and labor threshold and waivers, if applicable); and
 - iv. Aggregation of multiple or frequent requests.
 - b. If appropriate, deny the request in writing, using the Public Records Response Form, which is attached as Form B hereto, providing the appropriate ground such as one of the following:
 - i. The request was not sufficiently detailed to enable identification of the specific requested record(s). You need to provide additional information

- to identify the requested records(s).
- ii. No such record(s) exists or this office does not maintain record(s) responsive to your request.
- iii. No proof of Tennessee citizenship was presented with your request. Your request will be reconsidered upon presentation of an adequate form of identification.
- iv. The requestor is not a Tennessee citizen.
- v. The requestor has not paid the estimated copying/production fees.
- vi. The following state, federal, or other applicable law prohibits disclosure of the requested records: _____.

c. Forward the records request to the appropriate records custodian in the KCRPB.

3. The designated PRRC(s) is(are):

- a. Name or title: Executive Director or his or her designee
- b. Contact information: 400 Main Street, Suite 371, Knoxville, Tennessee 37902, Phone: 865-215-2323, Fax: 865-215-2421.

B. Records Custodian

1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.
2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requestor a completed Public Records Request Response Form.
3. If a records custodian denies a public record request, he or she shall deny the request in writing as provided in Section III.A.2.b using the Public Records Request Response Form.
4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the Public Records Request Response Forms to notify the requester that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requester concerning the omission and produce the

records as quickly as practicable.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel regarding review and redaction of record.
2. Whenever a redacted record is provided, a records custodian should provide the requester with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.
3. If a request for copies is made, and a record must be copied or printed to effectively create a redacted record for production, the additional cost of each such printing or copying shall be included in the cost charged to the requestor at the per page cost listed below for copies of records, whether the record is ultimately produced electronically or in print.

IV. Inspection of Records

There shall be no charge for inspection of open public records. The location for inspection of records within the offices of the KCRPB should be determined by either the PRRC or the records custodian.

V. Copies of Records

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at a location specified by the records custodian.
- C. Upon payment of all costs for the requested records, including postage if mailed, copies will be available for pick up at the administrative office of the KCRPB, delivered to the requester's home address by the United States Postal Service, electronically to the requestor's email address, or other means if requested and approved by the Records Custodian.
- D. A requester will NOT be allowed to make copies of records with personal equipment.

VI. Fees and Charges and Procedures for Billing and Payment

- A. Records custodians shall provide requestors with an itemized estimate of the charges using the Public Records Request Cost Estimate attached hereto as Exhibit C prior to producing copies of records and may require pre- payment of such charges before

producing requested records.

- B. When fees for copies and labor do not exceed \$ 5.00, the fees may be waived.
- C. Fees and charges for copies are as follows (if higher than the amounts authorized by the OORC Schedule of Reasonable Charges, documentation should be attached):
 - 1. \$0.15 per page for letter- and legal-size black and white copies.
 - 2. \$0.50 per page for letter- and legal-size color copies.
 - 3. Duplex (front and back) copies will be charged as two separate pages.
 - 4. If actual production costs are higher than those reflected above or if the requested records are being produced on a medium other than 8 ½ x11 or 8 ½ x14 paper, the KCRPB shall charge the actual production cost and shall include with the request an explanation of the costs incurred.
 - 5. Oversized or specialty copies may be outsourced to a vendor.
 - 6. Labor when time exceeds 1hour. “Labor” includes the time reasonably necessary to locate, retrieve, review, redact, and reproduce the records.
 - 7. If the KCRPB is assessed a charge to retrieve requested records from archives or any other entity having possession of requested records, the KCRPB shall assess the requestor the cost for retrieval of the records.
 - 8. If an outside vendor is used, the actual costs assessed by the vendor.
 - 9. Other: _____.
- D. Payment is to be made in cash, by personal check payable to the KCRPB, or by credit card presented to the records custodian.
- E. Payment in advance will be required.
- F. Aggregation of Frequent and Multiple Requests
 - 1. The KCRPB will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).
 - 2. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC or the records custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.