

Knox County Retirement and Pension Board

Public Records Request Policy

Records Subject to Public Inspection

Generally, all state, county and municipal records shall be open for personal inspection by any citizen of Tennessee during business hours unless otherwise exempted by law. TCA § 10-7-503(a)(2)(A). "Record" in the context of the statute means all documents, papers, letters, maps, books, photographs, electronic data, films, sound recordings, or other material regardless of its physical form or characteristics, that was made or received by the Board pursuant to a law, ordinance or official business transaction.

Requests/Requirements

Any citizen of the state of Tennessee may request information during normal business hours of the office of the Knox County Retirement and Pension Board, in care of Kim Bennett. The office is located at 400 Main Street, Room 371, Knoxville, TN 37902. The citizen shall submit to the Board a notarized records request form containing a statement that the records are not requested for any illegal purpose and that the requester is not a felon. A sample Records Request Form is included in the Forms Section of these policies. The citizen shall also produce a current, valid government issued photo ID showing Tennessee residence. Any request for records shall be sufficiently detailed to enable the Board to identify the specific records requested. Within seven (7) business days of receipt of the written request, the Board shall either provide access to the record, deny the request, or if the request is voluminous or will take extra time to prepare, the Board shall provide in writing the estimated date that the records will be ready. A Request Response form is included in the Forms Section of these policies.

All records requests shall be sufficiently specific as to clearly identify the requested records. The Board will not create new documents not already in existence to fulfill a records request. The Board will also not compile information or conduct searches for documents to fulfill vague requests or requests for records not in existence.

Except in cases of an ongoing law enforcement investigation, if the requested information is on any person or party other than the requester and no release has been signed, the person or party shall be notified in writing of the request.

In order to maintain the integrity of Board records, all copies shall be made by the Board. No citizen inspecting records shall bring or use any type of copying, photographing, scanning, or other reproducing or image capturing device.

This records management policy shall not apply when a duly issued subpoena has been served or when a request for production is made in pending litigation if the Board is a party.

Responses to the Media

All media requests involving the Retirement System shall first be directed to the Executive Director as the Board's single spokesperson. No expense shall be incurred by the Board for any consultant, advisor or attorney to respond to media requests without the Executive Director or Board's prior approval.

Fees

Inspection of public records by a citizen of Tennessee shall be free of charge. Additionally, no customer or employee of the Board shall be charged for copies of his or her own records. Any and all other copies shall be subject to the following charges:

Copy Charges

- 15 cents per page for each standard 8 ½ x11 or 8 ½ x14 black and white copy, and a duplex copy shall be the equivalent of two (2) separate copies.
- 50 cents per page for each 8 ½ x11 or 8 ½ x14 color copy produced.
- 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 Board shall charge the actual production cost and shall include with the request an explanation of the costs incurred.
- For any computer generated map or other similar geographic data that was developed with public funds and that also has commercial value, the Board shall charge 10% of the actual cost to the Board in developing such data, including labor, costs incurred in design, development, testing, implementation and training, and costs necessary to ensure that the map or data is accurate, complete and current.

Additional Production Charges

- Delivery of copies of records to a requestor is anticipated to be by hand delivery when the requestor returns to the Board office to retrieve the requested records. If copies are delivered by any other means, the cost incurred in delivering the copies shall be assessed in addition to any other permitted charge.
- If the Board utilizes an outside vendor to produce copies of requested records because the Board is legitimately unable to produce the copies in house, the cost assessed by the vendor shall be recovered from the requestor.
- If the Board is assessed a charge to retrieve requested records from archives or any other entity having possession of requested records, the Board shall assess the requestor the cost for retrieval of the records.

Labor Charges

- "Labor" includes the time reasonably necessary to locate, retrieve, review, redact, and reproduce the records.
- In calculating the charge for labor, a records custodian shall determine the number of hours each employee spent producing a request. The records custodian shall then subtract one (1) hour from the number of hours the highest paid employee spent producing the

request. The records custodian will then multiply the total number of hours to be charged for the labor of each employee by that employee's hourly wage. Finally, the records custodian will add together the totals for all the employees involved in the request and that will be the total amount of labor that can be charged.

Any costs estimated to exceed \$10.00 shall be paid in advance.