



Town of Hubbardston

7 MAIN STREET - Unit 12
HUBBARDSTON, MASSACHUSETTS 01452

PUBLIC RECORDS REQUESTS POLICY

On June 3, 2016, Governor Baker signed into law a major revision of the Public Records Law, which takes effect on January 1, 2017. The Secretary of the Commonwealth issues final revisions of 950 CMR Section 32.00 et seq. on December 16, 2016.

The new law and proposed regulations make several important changes to how municipalities respond to public records requests. In brief, cities and towns now must (1) create and appoint a new municipal position or positions: Records Access Officer; (2) respond to public records requests within 10 (ten) business days; and (3) post on their websites public records guidelines and identify and provide contact information for all Records Access Officers.

The Board of Selectmen has designated the Town Clerk as the Lead RAO, responsible for setting policy concerning public records matters generally and for developing appropriate guidelines and procedures for responding to public records requests. Three other RAO's have been appointed: Fire Chief for the Fire Department; Police Admin Assistant for the Police Department, and DPW Clerk for DPW. The Lead RAO will coordinate with the appointed RAO's and with custodians of public records to respond to requests for records.

Requests for records may be made "over the counter" at Town offices. Such requests may be made to and handled by the custodian of the requested records; provided, however, that if such a request will necessitate allocation of significant time or resources, the custodian of the requested records will inform the appropriate RAO who will provide such response as may be necessary or appropriate. Any person requesting public records may seek out and contact any Hubbardston RAO for assistance in determining the appropriate RAO or custodian of records.



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Responses to records requests will be made electronically unless the record is not available in an electronic form or the requestor does not have the ability to receive or access the records in a usable electronic form.

The RAO will provide the records requested or respond to a records request in writing **within 10 business days** following receipt of the request. If unable to grant access or provide the records within 10 business days, the RAO must still respond to confirm receipt, either explaining why a complete response cannot be provided, directing the requestor to a different custodian, outlining what will be withheld if known, and estimating the fee and time for response. The RAO may petition the Supervisor of Records for an extension of time if "good cause" can be shown.

The fee assessed for black and white paper copies or computer printouts of records will not exceed **5 cents** per page for both single and double-sided sheets. If the time needed to fulfill the information request exceeds one hour of employee time, the RAO may include in the fee for such request an hourly rate of the lowest paid employee with the skills necessary to search for, compile, segregate, redact or reproduce the requested records, not to exceed \$25 per hour.

The Town of Hubbardston has custody of records as set forth in Municipal Records Retention Schedule, which can be found on the Secretary of the Commonwealth's website on the Archives Division Page at the following link:

http://www.sec.state.ma.us/arc/arcpdf/Municipal_Retention_Schedule_20161109.pdf

Additional information about the Public Records Law may be found on the Secretary of the Commonwealth Public Records Division's website at:

<http://www.sec.state.ma.us/pre/preidx.htm>