

From: Bill Harbaugh <wtharbaugh@gmail.com>
Subject: good news on UO public records
Date: September 15, 2011 12:08:03 PM PDT
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Dear All -

We have good news on UO public records access. The UO Public Records Office has agreed to waive the first \$200 in fees for "public interest" public records requests from the media. This includes requests from the traditional media and new media such as bloggers. The media will get this \$200 waiver automatically, because of their long established role in helping make democracy work, by getting public information to the public. Requests from those seeking records for primarily commercial use or private benefit will of course still have to pay the actual costs.

The new policy should be announced at the UO PR Office website [here](#) shortly, and it takes effect today, 9/15/2011. This change was the result of talks between Dave Hubin of the President's office, Liz Denecke of the PR Office, and the [Senate Transparency Committee](#) on how to improve transparency and trust at UO.

To my knowledge the Oregon DOJ and now UO are the first Oregon state agencies to adopt a sensible fee waiver policy of this sort. I think this new policy will increase the supply of public records about UO and lower the cost to UO of

providing them. UO will be able to spend less time estimating costs and responding to questions about fees, and more time helping make the public's documents public.

No institution is perfect. It is inevitable that some public records released under this policy will embarrass UO. I believe any such embarrassments will be followed by steps to fix problems, and that the long term result will be an increase in trust within UO, and between the state and UO. That is, of course the rationale for Oregon's PR law and other state and federal "FOIA" laws.

The STC will meet 9/20 from 10:30-12:00 in room 410 PLC to discuss the details of implementation of this improvement, and ways to further improve public records access at UO. I will send a summary of this meeting afterwards. This is a public meeting, and the media (new and old!) are invited to attend.

I hope this change, and other changes the Transparency Committee will work with Ms Denecke to implement soon will become a model for other state agencies. With that in mind the STC is collecting data on the before and after costs and demand for records, and we will make a public report on this in the future.

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From: David Hubin <hubin@uoregon.edu>

Subject: FW: DRAFT: Modification of Public Records Fee Procedures

Date: April 30, 2012 4:50:08 PM PDT

To: William Harbaugh <harbaugh@uoregon.edu>, Gordon Sayre <gsayre@uoregon.edu>, Kim Sheehan <ksheehan@uoregon.edu>

Cc: Interim President Berdahl <pres@uoregon.edu>, Lorraine Davis <lgd@uoregon.edu>, Michael Redding <mredding@uoregon.edu>, Jamie Moffitt <jmoffitt@uoregon.edu>, Robin Holmes <rhholmes@uoregon.edu>, Roger Thompson <rjt@uoregon.edu>, Scott Coltrane <coltrane@uoregon.edu>, Susan Weeks <sfweeks@uoregon.edu>, Betsy Boyd <eaboyd@uoregon.edu>, Greg Stripp <stripp@uoregon.edu>, Mike Andreasen <miandrea@uoregon.edu>, Kimberly Espy <kaespy@uoregon.edu>, Randy Geller <rgeller@uoregon.edu>, Douglas Park <dougpark@uoregon.edu>, Public Record Requests <pubrec@uoregon.edu>

TO: Senate Transparency Committee
Bill Harbaugh
Gordon Sayre
Kim Sheehan

FROM: Dave Hubin, Senior Assistant to the President

Cc: Bob Berdahl, Interim President
Lorraine Davis, Acting Senior Vice President and Provost
Members, Executive Leadership Team

I am writing to convey modifications to the Public Records Office's fee-waiving practice that we implemented on a trial basis last fall. Although the practice achieved some anticipated efficiencies within the Public Records Office, it also created some unanticipated inefficiencies. In addition, the practice led to unforeseen costs to other departments asked to assist in retrieving documents.

Because departmental costs were affected by the varying hourly rates among their staff members, the number of hours departments could be asked to absorb in responding to document requests varied widely. Further, although the trial practice sought to expedite interactions with departments, the process of gathering cost estimates from departments led to actual increases in staff time in both the PR Office and other departments. These steps often delayed responses, even to straightforward requests for readily accessible documents.

During this trial period, we reviewed practices regarding public records requests within the Oregon University System and at public institutions within AAU and the PAC-12. We also consulted with numerous public agencies within Lane County. Based on what we have learned from these consultations, as well as from our experience with our current practice, we are now implementing further refinements to our waiver system.

(Attached is the new wording of our new statement on fee waivers.)

This new practice will provide for greater institutional efficiencies while mitigating the unintended increased costs that resulted from our current approach. The changes will also bring us into closer alignment with our comparator institutions and public agencies.

David R. Hubin, Ph.D.
Senior Assistant to the President
University of Oregon
(541) 346 3036

([Below] is the new wording of our new statement on fee waivers.)

Fees

The Office of Public Records charges for the actual cost of making available public records. Fees are based on the amount of staff time involved (calculated based on hourly rate of pay and benefits), a per-page fee for photocopies, and any mailing or delivery charges. Staff time includes locating, gathering, reviewing, summarizing, compiling, copying, monitoring (if a request is made to inspect records on-site), tailoring and redacting the public records.

Fee Reductions or Waivers

Public Interest: The Office of Public Records may reduce or waive fees when fulfilling public records requests that benefit the interests of the community or society as a whole (ORS 195.440(5)). If you would like to apply for a fee waiver, please provide a statement that conveys how your request meets this requirement and thus justifies redirecting the public's resources away from the University's primary mission of education to absorb some or all of the cost of your request.

Exceptions: Public record requests made for commercial purposes are ineligible for fee reductions or waivers.

Simple Requests: The Office of Public Records may waive the fee for fulfilling non-commercial, simple requests that clearly require less than one hour of university staff time. Because even straightforward requests incur administrative and institutional costs, typically no more than two fee waivers for such requests will be granted to any individual requestor within a calendar month.

Exceptions: No fees will be waived for any request that involves legal review or computer programming.