



## Record Management and Information Retrieval Policy

### I. Purpose

The Southwest La Plata Library District (SWLPLD) recognizes the need for a comprehensive records retention schedule for the district's records and the need to comply with the Colorado Open Request Act (CORA). This document provides the public with information regarding the length of time various documents, both non-permanent and those that have long-term administrative, fiscal and historical value, will be retained. This document is based on a state-wide retention schedule developed by the Colorado state Archives, in coordination with the Colorado Special Districts Association, the Colorado Attorney General's Office and the State Auditor's Office.

SWLPLD will fully cooperate with records requests. However, at no time will SWLPLD staff or trustees provide any records which violate C.R.S. § 24-90-119, including the disclosure of information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library.

Open records request records may themselves be public records under the public records law and may be subject to public inspection under C.R.S. § 24-72-203.

### II. Definitions

**Public Records:** All writings made, maintained, or kept by SWLPLD, for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds, subject to the exceptions set forth in C.R.S. § 24-72-202

**Writings:** Books, papers, maps, photographs, cards, recordings, or other documentary materials, regardless of physical form or characteristics (C.R.S. § 24-72-202(7)).

**Custodian of Records:** Person(s) responsible for retaining, archiving and/or purging records as determined by the board of trustees.

**C.R.S. § 24-90-119:** Colorado Library Law which prohibits the disclosure of identifiable personal information. This includes information regarding who is using the library, when people are using the library, for what purpose people



are using the library, and which materials are being used in the library or taken from the library to be used elsewhere.

### III. Records Availability

A substantial number of SWLPLD's public records are available free of charge on the district's website at [www.swlplibrarydistrict.org](http://www.swlplibrarydistrict.org). Those records include, but are not limited to, the SWLPLD budget, policies, resolutions and the agendas and minutes of meetings of the SWLPLD board of trustees. In lieu of completing a CORA request for information available on the SWLPLD website, persons may be directed to the on-line location of documents. For those documents not available on the SWLPLD website, in accordance with statutory responsibility, SWLPLD is committed to ensuring public access to the library district's public records within a reasonable time and at a reasonable cost.

SWLPLD's electronic mail system is not designed to be a record-keeping system. Nevertheless, SWLPLD employees and trustees will retain emails in accordance with the district's retention schedule.

### IV. Requests for Public Records

All public records shall be open for inspection by any person, at reasonable times, except as otherwise provided by law. If the requesting party wishes to review original documents, the custodian of records may request that the requesting party follow certain procedures to protect the integrity of the public record including, but not limited to, supervision by an SWLPLD employee. If a requesting party's research of original records must be supervised, time spent on supervision shall be charged at \$41.37/hour after the first hour of supervision.

To request public records, contact the SWLPLD library director at 970-375-3816 x2, via email at [director@swlplibrarydistrict.com](mailto:director@swlplibrarydistrict.com), or in person at 75 County Road 218. The requester will be provided a public records request form. Official records requests must be given to the library director in person or via email, using this form.

General emails to SWLPLD (or inquiries on the website or social media sites) will not be treated as records requests under CORA. Requests must be submitted to and received by the library director directly.

All requests must contain the following information:



- Description of the records being requested. Describe the request as specifically as possible. If you are uncertain about which records contain the information you are seeking, provide a description of the type of information you are searching for, including date ranges.
- If photocopies or electronic copies are being sought, your contact information and preferred method of delivery of the records must be included.

#### V. Fees

Fees for research and retrieval of public records may be imposed at the discretion of the records custodian as follows:

- 1st Hour - No Charge
- More than 1 Hour – maximum allowable by law, currently \$41.37 per hour.
- Hourly research and retrieval fees may be adjusted for inflation pursuant to C.R.S. § 24-72-205(b). Other fees may be imposed at the discretion of the records custodian consistent with the provisions of CORA. Such additional fees may include copying/printing charges, delivery charges, and so forth. Currently, printing charges are \$0.25 per each side of a standard, black and white printed page. Color copies and oversized pages will result in additional charges.
- The time charged on any CORA request for emails is based on actual time spent on the request by any and all SWLPLD staff and board members. Depending on the records requested, this can be a very time intensive process. Emails and attachments will be reviewed and redacted, as necessary, in accordance with CORA and Colorado library law.
- Payment of the total, actual cost of staff time and/or the production of documents is required before the requesting party may inspect or receive copies of the records requested.

No fee will be charged for the transmission of records by electronic mail, although the other fees described in this policy may be applicable if the services for which those fees are charged are necessary in order to place the records into a format that can be emailed. Due to the limits of the size of electronic files that may be emailed, it may not be practical to transmit records via email.

Requests expected to have a total charge of \$60 or more must be accompanied by a non-refundable deposit of at least one-half the estimated amount. This deposit will be credited toward the total fee, and the total fee



shall be paid prior to release of the requested records. If the deposit amount exceeds the actual costs, the balance shall be refunded within 30 days.

Please note, SWLPLD will not accept a CD, thumb drive, or other storage media from the person requesting the records to avoid viruses and/or system contamination.

#### VI. Time Requirements

SWLPLD will produce the public records requested for inspection, or copies of the records, upon payment of the charges detailed above, within three business days of the request form's submittal or within seven business days where extenuating circumstances exist as provided in C.R.S. § 24-72-203(3)(b). SWLPLD will notify the requesting party in writing if extenuating circumstances prevent the custodian of records from fulfilling the request within three business days. Extenuating circumstances include:

- Where a broadly-stated request encompasses a large category of records, and the request is without sufficient specificity to allow the appropriate custodian of records reasonably to prepare or gather the records within three business days; or
- Where the custodian must devote all or substantially all of its resources to meet an impending deadline or period of peak demand that is either unique or not predicted to recur more frequently than once a month; or
- Where a request involves such a large volume of records, or such obscure records, that the custodian cannot reasonably prepare or gather the records within three business days, without substantially interfering with the custodian's obligation to perform his or her other public service responsibilities.

#### VII. Electronic Records and Electronic Communications

If a record is stored in digital format, SWLPLD will produce such record in digital format. If a digital record is stored in a searchable format, it shall be provided in a searchable format; if stored in a sortable format, it will be provided in a sortable format. Notwithstanding the foregoing, a digital record shall not be produced in searchable or sortable format if such production would violate a copyright or licensing agreement or would result in the release of proprietary information, or if it would not be technologically or practically feasible to permanently remove information that is required to be



withheld in such format. It shall not be considered technologically or practicably feasible to produce a record in such manner if the custodian would be required to purchase software or create additional programming to remove information required to be withheld. If the Custodian cannot comply with the requested format, the Custodian shall either issue a denial of the request or provide an alternative format. In either case, the Custodian shall provide the Requestor with the reason for not being able to provide the document in the requested format.

#### VII. Denial of Inspection of Records

In accordance with Colorado Library Law (C.R.S. § 24-90-119), disclosure of information that identifies a person as having requested or obtained specific materials or service or as otherwise having used the library is prohibited. Patrons who use our curbside service or who request materials via email are protected by this statute.

In accordance with the CORA (C.R.S. § 24-72), certain public records are either prohibited from disclosure or may be withheld from public inspection. Justification for any denial of inspection of records will be provided in writing to the requestor. Where practicable, SWLPLD will redact portions of responsive documents rather than withholding the entire document.

#### VIII. Retention and Archiving of Public Records

The custodian of records is responsible to retain, archive, and/or purge records in accordance with the retention schedule developed by the Colorado State Archives, in cooperation with the Colorado Special Districts Association, the Colorado Attorney General's Office, and the State Auditor's Office.

Where practical, SWLPLD will retain both physical and electronic copies of documents. However, some documents may be retained as physical documents and others as electronic documents.

The custodian of records will upload documents to the SWLPLD website and/or shared drive. The library director will oversee storage of physical documents. Both will adhere to the record retention schedule in appendix A. This retention schedule will be updated as needed to comply with Colorado law, and to follow recommendations from the Colorado Special Districts Association, the Colorado Attorney General's Office, and the State Auditor's Office.



Once documents are uploaded or physically stored, or are in possession of the Custodian of Records and/or the library director, SWLPLD staff and board members are not required to retain email copies of those records. However, email messages and discussions pertaining to the above schedules should be retained following the time requirements listed. At the discretion of a staff member or trustee, email messages relating to the retention schedule above may be printed, along with any transmission and receipt data, and stored with the physical documents. The email may then be deleted from the user's email account.

Staff and trustees are encouraged to delete unnecessary emails. Emails that are personal in nature, of fleeting or no value, or otherwise not created or received in the course of library business may be deleted immediately after reading. Emails that serve some purpose but do not have permanent retention value are recommended to be deleted after they are no longer needed.

After an employee terminates, or a trustee's term expires, pertinent e-mail messages will be retained according to the above schedule or will be printed, along with any transmission and receipt data, and stored with the physical documents.

#### VI. Disclaimer

In the event any provision of this policy conflicts with CORA, the provisions of CORA shall control.

- Approved 7/15/24 by the Southwest La Plata Library District Board of Trustees.



## Appendix A

(Updated July 11, 2024)

### ADM (Administrative Records)

*Records regarding the operation and actions of the library branches*

- **ADM-P** refers to records that must be retained permanently
  - Contracts/Agreements/IGAs
  - Long-term value correspondence/documentation
  - Maps and drawings
  - News releases related to policy or having historical value
  - Organization Files
  - Policies & Strategic Plan
  - Public relations documents—official remarks, speeches, etc.
  - Gift Register
  - Major Projects, including project control files and bonds, for repair, maintenance, or improvements over \$25,000
  - Annual reports
  - Publications, Awards and Honors
  - Survey compilations
  - Challenged Books
- **ADM-4** refers to records that must be retained for 3 years plus the current year
  - Routine News Releases
  - Liability Waivers
  - Inter Library Loan transactions (number of items sent and received only)
  - Minor Projects, including project control files and bonds, for repair, maintenance, or improvements under \$25,000
  - Quarterly Reports
  - Event Records (organization and promotion of special events)
  - Committees and committee records
- **ADM-2** refers to records that must be retained for 1 year plus the current year
  - Open records requests and supporting documents
  - Complaints, routine service requests, nonbinding petitions
  - Facility and program use records (quantity of use only)
  - Book requisitions
  - Daily/weekly/monthly reports
  - Certified mail return receipts, record of mailings and undeliverable mailings, correspondence with routine value
  - Survey responses, including questionnaires
  - Board reports regarding branch operations
  - Training and conference materials
  - Records of memberships paid by the district
  - Calendars and notes
- **ADM-S** refers to records that must only be retained until superseded or obsolete
  - "How-to" Manuals and guides
  - Catalogs

## FIN (Financial Records)

*Records documenting and ensuring accountability for the receipt and expenditure of public funds*

- **FIN-P** refers to records that must be retained permanently
  - Audits
  - Final Adopted Budgets
  - General Ledger
  - Annual Fiscal Reports
  - Bank Statements
  - Procurement and Purchasing Policies
- **FIN-10** refers to records that must be retained for 10 years
  - Fixed Asset Files
  - Investment Reports (ColoTrust)
  - County Treasurer's Report
- **FIN-7** refers to records that must be retained for 6 years plus the current year
  - Bills Paid, Invoices and statements, Purchasing records, credit card charges, expense records
  - Vendor Files
  - Invoices and statements issued by SWLPLD
  - Band Records, other than statements
  - Accepted Bids
  - Financial Reports
  - Surplus Property Records
  - Grants received
  - Affidavits of Publication
  - Finance journal entries
- **FIN-3** refers to records that must be retained for 2 years plus the current year
  - Rejected bids
  - Monthly financial reports, including balance sheets
- **FIN-2** refers to records that must be retained for 1 years plus the current year
  - Petty Cash Records
  - Preliminary Budget records (located with final budgets in permanent file)
- **FIN-S** refers to records that must only be retained until superseded or obsolete
  - Inventories

## HR (Human Resource Records)

### *Documentation of each employee's tenure with SWLPLD*

- **HR-P** refers to records that must be retained permanently
  - Hazardous materials exposure
  - Employee longevity reports
  - Pensions awarded/retirement files
  - Payroll register
  - Actuarial reports
- **HR-10** refers to records that must be retained for 10 years after an employee's separation from SWLPLD
  - Employee records, verification documents, tax documents, etc.
  - Contracts
  - Employee files, including leave records
- **HR-7** refers to records that must be retained for 6 years plus the current year
  - Benefit plan basis
  - HIPPA Authorizations
  - Year-end payroll, W-2 forms
  - Unemployment insurance reports
  - Workers' Compensation reports
  - Payroll tax records/FICA quarterly reports
  - Time worked records
- **HR-4** refers to records that must be retained for 3 years plus the current year
  - Temporary employee records
  - Grievances
  - Insurance benefit reports
  - Group health insurance, continuation of coverage
  - Wage-rate tables
  - Salary surveys
  - Volunteer work records
- **HR-3** refers to records that must be retained for 2 years plus the current year
  - Employment verifications
  - Applications for employment and supporting documentation, hired and not hired
  - Work schedules
- **HR-2** refers to records that must be retained for 1 years plus the current year
  - Safety training information
  - Advertisements of job opportunities
  - Direct deposit/credit union deduction requests
  - End of pay period reports
  - Recruitment and interviewing procedures
- **HR-S** refers to records that must only be retained until superseded or obsolete
  - Job Descriptions
  - Personnel policies and procedures
- **HR-O** refers to records with variable retention lengths
  - Benefit plans must be retained for the full period the plan is in place plus 1 year.
  - Seniority or merit systems must be retained as long as the system is in place plus 1 year.

## GOV (Governing Body Records)

*Records regarding the composition, operation, proceedings and enactments of the board of trustees*

- GOV-P refers to records that must be retained permanently
  - Agendas and supporting documentation
  - Bylaws
  - Minutes and supporting documentation
  - Resolutions
- GOV-4 refers to records that must be retained for 3 years plus the current year
  - Information packets distributed to governing body
  - Legislative lobbying records
- GOV-2 refers to records that must be retained for 1 years plus the current year
  - Conflict of Interest and Financial disclosure statements
  - Appointments and signature certificates
- GOV-S refers to records that must only be retained until superseded or obsolete
  - List of Members
- GOV-R refers to recordings made by the governing body
  - Recordings of open meetings must be kept for 6 months after the approval of the minutes
  - Recordings of executive sessions must be kept for 90 days after the meeting

## PRO (Property and Infrastructure Records)

*Records relating to structures and buildings. Address History Files should provide a chronological record of building-related activities for each address within the district. Include district boundaries and changes, development impact and environmental statements, etc.*

- **PRO-P** refers to records that must be retained permanently
  - Acquisition Records
  - Deeds and Dedications
  - Easements and Rights-of-way
  - Sale or transfer of property records
  - Disposition of property
  - Address History Files
    - Includes building permits, utility permits and taps, zoning designations, COs, etc.
  - Fire Code Inspections
  - Historic Designations
- **PRO-3** refers to records that must be retained for 3 years
  - Temporary easements
  - Chemical application records
  - Damage records, if not litigated
  - Inspection records
  - Other general records



**EQU (Equipment Records)**

*Records documenting the acquisition and operation of district owned or leased equipment. **All to be retained until superseded***

**HIS (Historical Records)**

*Records that have historical importance as documentation and evidence of the origins and evolution of the district. **All to be retained permanently***

**INS (Insurance Records)**

*Proof of insurance coverage for specific purposes and records of claims for damages.*

- Major projects (projects over \$25,000) must be retained 10 years
- Certificates of insurance/policies must be retained 7 years
- SWLPLD insurance claims must be retained 7 years
- Employee insurance claims must be retained 4 years

**LEG (Legal Records)**

*Records pertaining to claims, lawsuits and advice from legal counsel, including intellectual property, personal injury claims, legal opinions, and litigation. **All to be retained permanently***

**PUB (Public Safety Records)**

*Records relating to disaster and emergency planning. Documentation of the extent and impacts of disasters and actions taken by the district in response to incidents. Includes incident records and emergency operations and management plans. **All to be retained permanently***