

RIGHT TO KNOW POLICY

Chapter 146

RIGHT TO KNOW REQUEST POLICY

§ 146-1. Purpose.

§ 146-2. Procedure.

[History: Adopted by the Board of Selectmen of the Town of Bow 4-26-2016. Amendments noted where applicable.]

§ 146-1. Purpose.

The purpose of this policy is to create a standard method of processing records requests under the Right to Know Law (RSA 91-A). It is the policy of the Town to facilitate public access to existing governmental records, as governmental records are defined under RSA 91-A, and where such access is required under RSA 91-A.

§ 146-2. Procedure.

- A. All requests for documents per RSA 91-A are to be referred to the Town Manager's Office. The Town Manager's Office serves as the one point of contact for the Town and the one point of information dissemination.
- B. The Town Manager's Office will ask the person making the request to fill out a "Right to Know" Request form or it will be filled out on their behalf. The Town cannot require citizens or requestors to use the Town's form; however, the form needs to be used to document the request.
- C. The Town Manager will review the request and indicate how the Town is to respond. If the document is readily available for immediate inspection, this must be allowed to occur. If the Town is unable to make a governmental record available for immediate inspection and copying, it must, within 5 business days of the request, make such record available, deny the request in writing with reasons, or furnish written acknowledgement of receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. Nothing in the statute requires the Town to compile, cross-reference, or assemble information into a form in which it is not already kept or already reported. The information will be provided in the format that it is in.
- D. In the event the requested governmental records are not subject to RSA 91-A or are exempt from disclosure under RSA 91-A, the requestor will receive a response in writing with the reasons for denial of access to the governmental record, provided the requestor's identity and mailing information has been provided. Statutory exemptions for documents that are not available to the public include:
 - (1) Records pertaining to internal personnel files or practices;
 - (2) Confidential or commercial information, if release would be an invasion of privacy;

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- (3) Written legal advice; and
 - (4) Preliminary drafts, notes, memoranda and other documents not in their final form and not disclosed, circulated, or available to a quorum or a majority of the members of a public body.
- E. Any document produced in response to a Right to Know request per RSA 91-A will be copied and kept in a separate file in the Town Manager's Office along with the corresponding Right to Know request form.
- F. Unless requesting a document for which State Statutes require a specific fee, if a computer, photocopy machine, or other device, is used to copy the governmental record requested, the person requesting the copy will be charged the Town's standard copy fees as found in Chapter 124 Fee Schedule, of this Code.