

Town of Lebanon, CT

Administrative Policies and Procedures

Freedom of Information Act Requests (FOIA)

Policy: The purpose of this policy is to provide clarification and guidance regarding Freedom of Information requests from members of the public. Except as otherwise provided by federal law or by state statute, the Freedom of Information Act (FOIA), Connecticut General Statutes Chapter 14, guarantees public access to all public records maintained or kept on file by municipality.

Procedure: The goal of the Town is to promptly provide requested information in compliance with the law. Public records maintained in the Town Hall are available for public inspection during regular business hours. All FOIA Requests must be submitted to the Town using the FOIA Request form which is located on the Town's website at www.lebanontownhall.org. Town information for the various departments, boards, and commissions are also available on the town's official website. Certain records such as payroll records, employment records, vital statistics and other documents that contain confidential and personal information, including Social Security numbers and personal bank account information, are not open for public inspection. Full or limited access to these records may be available in accordance with the disclosure requirements established in the statutes. Any concern regarding whether a particular item may be disclosed should be promptly addressed to the First Selectman, FOIA Officer. Advance payments for copies of documents and/or administrative fees are identified on the attached Freedom of Information fee schedule of the Town. The First Selectman's office will notify the requester if the information requested under FOIA is available on the town's official website.

All FOIA request forms (located on the Town's website or First Selectman's office) should be forwarded to the First Selectman's office for coordination (electronic or hard copy will be accepted). The First Selectman's office will acknowledge receipt from the requester within four business days. The First Selectman's office will forward the request to the appropriate department to provide the material, deny the request, ask for clarification of the request if needed, and/or if the requested material is voluminous or other difficulty is encountered, establish a reasonable date upon which the documents will be made available.

The Town's Freedom of Information Request Form can be used to request any document not readily available for public inspection in the offices maintained by the Town of Lebanon or on the Town's official website. When copies are not requested, individual departments may arrange (with the requestor) for public inspection of requested information subject to disclosure per statute.

The Town has no legal obligation to, and will not perform analytical work, studies, investigations, calculations or program reviews, or create any document in response to a

Freedom of Information request. If the requested information exists in the form of a document and is not in draft form, it will be provided, but documents exempted by law from release or availability to the public per, for example, C.G.S. § 1-210 (b), will not be released or made available. In questionable instances, consultation should be made with the First Selectman, who may refer the matter to the town attorney.

Process:

1. Freedom of Information Requests forms should be sent to the First Selectman's office in hard copy or electronically.
2. The First Selectman's office will acknowledge receipt and promptly disseminate requests to the appropriate department(s).
3. The appropriate department will 1) determine what specific information is requested based on the request, i.e. interpret the request; 2) determine if the requested information is available and if available, in consultation with the First Selectman's office make a determination if the requested information is subject to disclosure, if the information is not available or not subject to disclosure, the request will be denied; and 3) if the information is available and subject to disclosure; the appropriate department will jointly, with the First Selectman's office, establish a reasonable date for fulfilling the request.
4. If no copy is requested, records subject to disclosure requirements as established in the statutes may be inspected/reviewed; however, there will be administrative fees for staff time to physically sit with the FOIA requester while reviewing the requested documents.
5. If hard copies are requested, and are available, the documents will be forwarded to the First Selectman's office for release, upon payment of the required fees.
6. Administrative Fees:
 - a. Shall be at the maximum allowed fee prescribed in C.G.S. 1-212
 - b. Prior to fulfilling any request that would require a requesting party to incur administrative fees, the town shall provide a written cost estimate of such fees to the requesting party, listing all charges expected to be incurred in retrieving such records. Upon receipt of the estimate, the requesting party may decide whether to proceed with, cancel, or modify the request.

Effective Date: July 9, 2013

Approved by: Lebanon Board of Selectmen

First Selectman: Joyce R. Okonuk