



Approved By:	Board of Commissioners
Date Approved:	11/23/2010
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Date Effective:	
This policy supersedes previous versions and revisions.	

Public Records Access Policy

Background

The Freedom of Information Act, 5 U.S.C. §552, applies to records maintained by federal agencies of the executive branch of the government and does not provide access to records held by state or local government agencies. However, Alabama law requires all state and local government officials to “correctly make and accurately keep” records that document the business carried out in their offices. Government officials have a duty to provide access to these records as stated in the Code of Alabama 1975, §36-12-40. This Section provides citizens access to inspect and take a copy of any public writing of the state, unless access to it is expressly forbidden by statute.

Purpose

The Alexander City Housing Authority maintains full compliance with the Code of Alabama 1975, §36-12-40 and will provide citizens access to its public writings in accordance with Alabama Access Laws, in particular, the aforementioned Code.

Procedure

- A. The Executive Director or his/her designee shall be responsible for explaining the policy to the public and to other employees, answering questions about restrictions to access, and/or approving all requests for information.
- B. Access to and/or copies of records will be provided during regular business hours, Monday – Friday, 9:00 a.m. – 12:00 p.m. and 1:00 – 4:30 p.m., at the administrative offices located at 2110 County Road, Alexander City, Alabama.
- C. Individuals seeking access to and/or copies of Agency records must complete a Records Access Request Form prior to obtaining the information.
- D. Requests for information may be received in person, by fax, mail, or e-mail. Copies may be received from the Agency in person by mail, fax, e-mail, or other electronic device.
- E. All original records must be viewed on site and in the room provided. Original records may not be removed from the premises.
- F. Large bags, backpacks, or briefcases are prohibited in the records area. These may be checked with the Administrative Assistant or other designated staff member prior to entering the records area. Staff may ask to inspect items in an individual’s possession upon his/her entering or leaving the assigned room. Food, drink and smoking are prohibited in the room during records review.
- G. A nominal fee will be charged to cover Agency costs for providing copies of public records. This fee includes staff time, copier costs, and postage, if applicable. Additional employee time may be charged if the request involves

gathering information, research, or compiling a report that is not normally created by the Agency.

Time Frame

The Agency will provide the requested information as promptly as possible. In most instances, the information will be provided within twenty (20) business days from the date the request was received. There may be some occasions when current circumstances may cause a delay in providing the information, such as the requested records may be stored offsite and require transfer to the office; it may be a peak business period for the staff; the computer system may have experienced a failure; or the request may be too vague or involve an overly large volume of records. Should this occur, the Agency will communicate the delay with the requestor in writing and include an approximate time frame when the requested documents will be available.

Right to Deny Access

The Agency reserves the right to deny access to certain, protected records as stated in the Code of Alabama §36-12-40. When access to Agency records is denied, the staff will attempt to explain why this has occurred and will, upon request, provide the reason(s) for denial in written form. In some cases, records may not be available because they have already been legally destroyed according to the guidelines in the Agency's Records Retention Schedule and Disposition Policy.

Disclaimer

Nothing in this Policy shall be construed or interpreted to contradict, abrogate, or diminish the rights of the public to have access to certain Agency records as provided by any federal, state, or local law, statute, or regulation, as long as it does not conflict the provisions of the Code of Alabama 1975, §36-12-40.

This policy was originally approved November 23, 2010. This revision was approved by the Board of Commissioners on November 24, 2015.


Skipper Worthy, Chairman
Board of Commissioners