

KCEMSS Policy for Public Records Requests

I. Purpose

This Policy outlines the procedure for handling and responding to Public Records Requests (PRRs) submitted to Kootenai County EMS System (KCEMSS).

II. Policy Statement

The Kootenai County EMS System has established a policy governing the process to satisfy the requirements of Public Records Requests per the Idaho Public Records Act, codified in Idaho Code §§ 74-101 to 74-126, which generally requires public records to be open for inspection, with some exceptions. The purpose of this policy should only be applied to the Kootenai County EMS System office, each department may have their own internal policy, and this policy does not apply to other elected officials or Fire Departments.

III. Receiving and Responding to Public Records Requests

1. Requests made to Kootenai County EMS shall be submitted in writing using the KCEMSS request form, which can be found on the <https://www.kcemss.org/documents/> website, or you may request it by calling the KCEMSS office at (208) 930-4224 or emailing: info@kcemss.org.
2. Upon KCEMSS receiving the written PRR form during regular business hours, the following actions will be taken:
 - a. KCEMSS will determine if the request can be fulfilled solely within the department and/or if the request is complicated or if the request is asking for exempt records.
 - b. If the request can be fully satisfied by KCEMSS within the statutory 72-hour response time, then KCEMSS should take the necessary steps to respond in a timely manner.
 - c. The Idaho Public Records law provides that PRRs shall be answered within 3 business days of receipt, excluding weekends and holidays. If the request cannot be fully satisfied within the 3-day period, a 10-business-day extension letter shall be sent to the requestor.
3. There may be a cost assessed to the requestor if more than two (2) hours of staff time is required to fulfill the request. The requestor must pay the quoted amount before any records are provided, unless waived by the KCEMSS Joint Powers Board.
 - a. The hourly rate is based on the lowest paid employee in the KCEMSS office, including their loaded salary.
 - b. The rate formula used for emails shall be: 30 seconds times #number of pages. Divided by 60 and then divided by 60 again to determine time estimate.
4. If there is no response to the request within 10 business days, it is deemed denied. The requester will be notified if this occurs. The requestor has 180 days from that date to appeal the denial, which may subject the Department to civil penalties.

IV. Emails

1. If the request involves emails, the contracted IT department will be notified. If the email request results in roughly 240 email results or more, IT will notify KCEMSS.
2. If a requested electronic record must be converted to another electronic format by KCEMSS or IT and such conversion cannot be completed within ten (10) working days, KCEMSS shall notify the person requesting to examine or copy the records in writing. KCEMSS shall provide the converted public record at a time mutually agreed upon between the agency and the requester, with due consideration given to any limitations that may exist due to the process of conversion or due to the use of a third party to make the conversion.
2. KCEMSS will determine if prepayment is required for more than 2 hours of staff time.
3. Alternatively, KCEMSS may ask the requestor to clarify and narrow their results.

V. Legal

1. The records custodian should review emails and flag any potentially exempt information.
2. Flagged emails should be sent to the attorney with a request for legal opinion and redaction.
3. KCEMSS shall notify the requested party if the request can be reviewed within the deadline. If not, the custodian will send a 10 business days extension.

VI. Link to Public Records Act

<https://legislature.idaho.gov/statutesrules/idstat/title74/t74ch1/>