

## CHATTANOOGA FIRE & POLICE PENSION FUND

### PUBLIC RECORDS POLICY

**Purpose:**

Pursuant to Tenn. Code Ann. § 10-7-503(g), every governmental entity subject to the Tennessee Public Records Act ("TPRA") (Tenn. Code Ann. § 10-7-501 et seq.), must establish a written public records policy properly adopted by the appropriate governing authority by July 1, 2017. The policy adopted shall not impose requirements on those requesting records that are more burdensome than state law and shall include:

- The process for requesting access to public records and any required form(s);
- The process for responding to requests, including redaction practices;
- A statement of any fees charged for copies of public records and the procedures for billing and payment; and
- The name or title and contact information of the individual or individuals designated as the Public Records Request Coordinator(s).

## CHATTANOOGA FIRE & POLICE PENSION FUND

### PUBLIC RECORDS POLICY

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy (the "Policy") for the Chattanooga Fire & Police Pension Fund (the "Fund") is hereby adopted by the Fund's Board of Trustees ("Board") to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tenn. Code Ann. § 10-7-501, et seq.

The TPRA provides that all state, county, and municipal records will, at all times during business hours be open for personal inspection by any citizen of this state, and those in charge of the records will not refuse such right of inspection to any citizen, unless provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A).

Fund personnel will timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the Fund, will be protected as provided by current law. Concerns about this policy should be addressed to the Board.

This Policy is available for inspection and duplication in the Fund office, 6009 John Douglass Drive, Chattanooga, TN 37421-1696.

#### **I. Definitions:**

- A. Records Custodian: The Fund official or employee lawfully responsible for the direct custody and care of a public record. The Records Custodian is not necessarily the original preparer or receiver of the record.
- B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.
- C. Public Records Request Coordinator ("PRRC"): The Fund Administrator. The Public Records Request Coordinator may also be a records custodian
- D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

#### **II. Requesting Access to Public Records**

- A. Using the Tennessee Open Records Request Form A, Public Record requests may be submitted as follows:
  - 1. In writing or in person to the PRRC or his/her designee at: Chattanooga Fire & Police Pension Fund, 6009 John Douglass Drive, Chattanooga, TN 37421-1696.

2. By telephone to the Fund at (423) 893-0500. If requesting Public Records by telephone, the Requestor must expressly identify themselves as a Requestor as required by TPRA.
  3. By email to: [info@cfppf.org](mailto:info@cfppf.org).
  4. By fax to the Fund Office at: (423) 893-7769.
  5. Requests for inspection are not required to be made in writing. The PRRC should obtain a mailing or email address from the Requestor to provide any written communication required under TPRA.
- B. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license or government issued ID, with address, is required as a condition to inspect or receive copies of Public Records.

### **III. Responding to Public Records Requests**

#### **A. Public Records Request Coordinator**

1. The PRRC will review Public Record requests and make an initial determination of the following:
  - a. If the Requestor provided evidence of Tennessee citizenship;
  - b. If the records requested are described with sufficient specificity to identify them; and
  - c. If the Fund is the custodian of the records.
2. The PRRC will acknowledge receipt of the request and either take any of the following appropriate action(s) or pass the request to the Records Custodian, who will take any of the following actions:
  - a. Advise the Requestor of this Policy and the elections made regarding:
    - i. Proof of Tennessee citizenship;
    - ii. Form(s) required for copies;
    - iii. Fees (and labor threshold and waivers, if applicable); and
    - iv. Aggregation of multiple or frequent requests.
3. Within seven (7) business days of the Fund receiving a Public Records request, the PRRC will acknowledge receipt and take any of the following action(s):
  - a. Make the Public Records available to the Requestor;

- b. Advise the Requestor that it is not practicable for the Public Records to be made promptly available for inspection and/or copying and furnish the Requestor with the estimated time that will be reasonably necessary to produce the Public Records if not available within seven (7) business days; or
  - c. If appropriate, deny the request in writing and include the basis for the denial.
- 4. If the request lacks specificity, the PRRC will contact the Requestor to clarify and narrow the request.
  - 5. If the requested Public Records are in the custody of a different governmental entity, and the PRRC knows the correct governmental entity, then the PRRC may advise the Requestor of the correct governmental entity and PRRC for that entity, if known.
  - 6. The designated PRRC is:
    - a. The Fund Administrator
    - b. Contact Information:

Chattanooga Fire & Police Pension Fund  
6009 John Douglass Drive  
Chattanooga, TN 37421-1696

B. Records Custodian

- 1. Upon receiving a Public Records request from the PRRC, a Records Custodian shall promptly make requested Public Records available in accordance with Tenn. Code Ann. § 10-7-503. If the Records Custodian is uncertain that an applicable exemption applies, the Records Custodian may consult with the PRRC. The PRRC may consult with the Fund's Attorney regarding applicable exemptions.
- 2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a Records Custodian shall, within seven (7) business days from the Records Custodian's receipt of the request, send the Requestor a completed Public Records Response Form B, attached herein.
- 3. If a Records Custodian denies a Public Records request, he or she will deny the request in writing as provided in Section III, 3.c. and may use the Public Records Request Response Form B.
- 4. If a Records Custodian reasonably determines that the production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the Records Custodian shall use the Public Records Response Form B to notify the Requestor that the production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the Records Custodian should contact the Requestor to see if the request can be narrowed.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the Records Custodian will prepare a redacted copy prior to providing access. If questions arise concerning redaction, the Records Custodian should coordinate with the PRRC. The PRRC may consult with the Fund's Attorney regarding redactions.
2. Whenever a redacted record is provided, the PRRC must provide the Requestor with the basis for the redaction. The basis given for the redaction will be general in nature and not disclose confidential information.

**IV. Inspection of Records**

- A. There will be no charge for inspection of Public Records unless the Records Custodian provides the Requestor with an express legal exception.
- B. The location for inspection of Public Records will be the Fund office.
- C. Under reasonable circumstances, the PRRC or Records Custodian may require an appointment for inspection or may require inspection of Public Records at an alternate location. The PRRC or Records Custodian will provide the Requestor with the time, date, and location for inspection.
- D. If a Requestor makes two (2) or more requests to view a Public Record with a six month period and, for each request, the Requestor fails to view the Public Record within fifteen (15) business days of receiving notification that the record is available to view, then the Fund will not comply with any Public Records request from the Requestor for a period of six (6) months from the date of the second request to view the Public Record, unless the Fund, in its sole discretion, determines that the failure to view the Public Records was for good cause.

**V. Copies of Records**

- A. Copies will be available for pickup at the Fund office.
- B. Upon payment for postage, copies will be delivered to the Requestor's home address.
- C. A Requestor will not be allowed to make copies of records with personal equipment.
- D. If a Requestor makes a request for copies of a Public Record and, after copies have been produced, the Requestor fails to pay the Fund the cost for producing such copies, then the Fund will not comply with any Public Records request from the Requestor until the Requestor pays for such copies, provided that the Requestor was provided with an estimated cost for producing the copies in accordance with this Policy prior to producing the copies and the Requestor agreed to pay the estimated cost for such copies.

## **VI. Fees and Charges and Procedures for Billing and Payment**

- A. The Records Custodian will provide Requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- B. Fees and charges for copies are as follows:
  - 1. \$0.15 per page for letter and legal-size black and white copies.
  - 2. \$0.50 per page for letter and legal-size color copies.
  - 3. The actual cost of any other medium upon which a record/information is being produced.
  - 4. Labor when time exceeds one (1) hour.
  - 5. Payment in advance will be required when costs are estimated to exceed \$20.00.
  - 6. If an outside vendor is used, the actual costs will be assessed by the vendor.
- C. Payment is to be made in cash or by personal check payable to the Chattanooga Fire & Police Pension Fund and be presented to the PRRC or designee at the Fund office.
- D. Aggregation of Frequent and Multiple Requests
  - 1. Fees associated with aggregated record requests will not be waived.
  - 2. The Fund will aggregate record requests when more than four (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).
  - 3. If more than four (4) requests are received within a calendar month.
    - a. The record requests will be aggregated. The PRRC or the Records Custodian must inform the Requestor(s) of the determination to aggregate.
    - b. If requirements for aggregation are met, the Records Custodian is no longer required to deduct the one (1) hour free labor threshold.
    - c. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC or the Records Custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the Board.

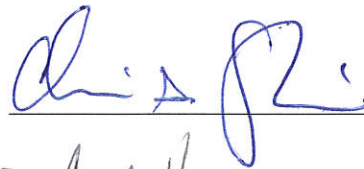
## **VII. Policy Amendments and Addendums**

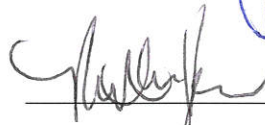
The Fund's Attorney will review and approve changes to this Policy as needed, with changes reported to and adopted by the Board.

The following forms will be amended periodically and are hereby incorporated by reference and appended hereto:

- A. **Tennessee Open Records Request Form A** -- The items in the appended form will be requested when a Requestor submits any Public Records request to the Fund.
- B. **Public Records Request Response Form B** -- A completed version of this form will be provided to any Requestor.

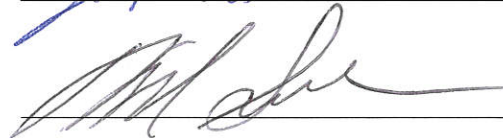
This Policy is hereby restated on this 4th day of OCTOBER, 2018, effective July 1, 2017.

  
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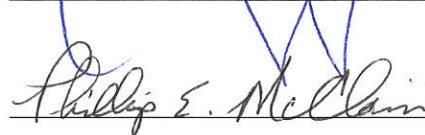
  
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# Tennessee Open Records Request

## FORM A

Please show Photo ID issued by governmental entity including customers' address (*example: drivers' license*). List form of identification provided: \_\_\_\_\_

[PLEASE PRINT ON THIS FORM]

Today's Date: \_\_\_\_\_

### CUSTOMER INFORMATION:

Full Name (First and Last Name): \_\_\_\_\_

Mailing Address (*no P.O. Box*): \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone or Cell Number: \_\_\_\_\_

Driver License Number and State: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Type of Record(s) Requested: \_\_\_\_\_

Describe the Record(s) Requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Charges for producing copies of Public Records are:

- \$0.15 per page for letter and legal-size black and white copies
- \$0.50 per page for letter and legal-size color copies
- CD copies are \$3.00 per disk.



# PUBLIC RECORD REQUEST RESPONSE FORM

## Chattanooga Fire & Police Pension Fund

6009 John Douglass Drive  
Chattanooga, TN 37421-1696

### FORM B

Please show Photo ID issued by governmental entity including customers' address (*example: drivers' license*). List form of identification provided: \_\_\_\_\_

Dear \_\_\_\_\_:

On \_\_\_\_\_, 20\_\_\_\_, our office received your records request for copies of the following records:

\_\_\_\_\_

\_\_\_\_\_

In response to your records request, our office is taking the action(s)\* indicated below:

The public records(s) responsive to your request will be made available for inspection:

Location: 6009 John Douglass Drive, Chattanooga, TN 37421-1696

Date and Time: \_\_\_\_\_

Copies of public record(s) response to your request are:

Attached

Available for pickup at the following location: \_\_\_\_\_

Being delivered via:

USPS First-Class Mail

Upload on Public Records Center Account

Other: \_\_\_\_\_

Your request is denied on the following grounds:

Your request was not sufficiently detailed to enable identification of the specific requested record(s). You need to provide additional information to identify the requested record(s).

No such record(s) exists or this office does not maintain record(s) responsive to your request.

No proof of Tennessee citizenship was presented with your request. Your request will be reconsidered upon presentation of an adequate form of identification.

You are not a Tennessee citizen

You have not paid the estimated copying/production fees

The following state, federal, or other applicable law prohibits disclosure of the requested records.

It is not practicable for the records you requested to be made promptly available for inspection and/or copying because:

It has not yet been determined that records responsive to your request exist; or

The office is still in the process of retrieving, reviewing, and/or redacting the requested records.

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is: \_\_\_\_\_

If you have any additional questions regarding your record request, please contact \_\_\_\_\_.

Regards,

Katrina Abbott  
Fund Administrator  
(423) 893-0500

\* If all requested records do not have the same response, multiple responses should be indicated as appropriate.