

Select Board Chapter 1

Right to Know Policy

Select Board, 2024-12-30

SB1-A, 1 Right To Know (RTK) Applications:

1 Right to Know applicants shall first make a reasonable effort to find the information they seek on the Town website or in the Town Reports. If not accessible on the town website or in the Town Reports, the applicant may follow the process below.

2 Applications shall be submitted in person in writing or by registered mail to the Select Board Office in the Stratford Town Hall during Select Board Office business hours. Applicants shall provide identification, a written or oral statement of purpose, and sign and date the application.

.1 The Select Board Office shall complete an application form if the applicant refuses to do so. A copy of the completed application shall be provided to the applicant.

.2 Copies shall be distributed at the Town Hall by appointment or by registered mail.

(a) If such records are immediately available and making them available does not unreasonably interfere with the Town's regular provision of services, distribution may be handled without appointment.

(b) Records immediately available are those which are both accessible without interfering with the Town's regular provision of services and currently meet the requirements of RSA 91a.

(c) Due to cybersecurity vulnerabilities, the Town will not accept RTK applications or distribute copies by fax or email.

.3 Copies and mailings shall incur reasonable fees.

3 Once an application has been officially received by the Select Board Office, the Town has five business days to satisfy, deny, or provide a written statement of the time reasonably necessary to determine whether the request will be granted or denied and the reason for the delay.

4 Nothing in RSA 91a requires the Town to answer questions.

SB1-A, 2 Gathering and Organizing Information

1 Upon receipt of a RTK application the Select Board Office shall forward the application to the appropriate Town official.

2 The official shall make every reasonable effort to search and collect all information within the scope of the application, including but not limited to archived information, information both on the digital servers and electronic storage devices as well as information that may have been accidentally or unintentionally transferred between personal emails/accounts by public officials or staff if there is reasonable evidence to assume such.

.1 Information collected for the RTK application shall be provided to the applicant in the format with which it was originally created. No additional time or resources to convert documents shall be expended.

.2 Within 5 days, either the collected information or a written statement of why such delivery cannot be achieved shall be delivered to the Select Board Office.

SB1-A, 3 Completing a RTK Application

_1 The Town shall not "compile, cross-reference, or assemble information into a form in which it is not already kept or reported" by the Town.

_2 RTK information can be provided using the following formats.

.1 Printed on paper

.2 Loaded onto a Universal Serial Bus (USB) drive.

_3 A record of RTK applications shall be kept by the Select Board Office including RTK application forms and corresponding Town action.

_4 If the town does not make a governmental document available for immediate inspection, the Town must, within 5 business days of application, make such available, deny in writing with reasons, or furnish written acknowledgment of the receipt of the application and a statement of the time reasonably necessary to determine whether the application shall be granted or denied.

_5 The Town is not required to provide information to out-of-state applicants, see *McBurney v Young*, 569 U.S. 221 (2013). Out of state applications will be reviewed on a case-by-case basis.

_6 In the spirit of NH RSA 91a, Town officials should assist the RTK applicants as reasonably possible to reinforce trust, openness, and cooperation.

SB1-A, 4 Applicable Fees

_1 New gray-tone paper copies of documents will incur a fee of \$0.50 per page side. New color paper copies will incur a fee of \$1.00 per page side. There will be no fee for paper documents which have already been copied and have been made publicly available.

_2 Copies on USB drives shall be on Town supplied, new and unused, drives for which the applicant shall be charged \$20.00.

_3 Mailings shall be by registered mail, return receipt requested, and shall incur a fee of the USPS postal charge plus \$5.00.

_4 All fees must be received in advance.

_5 All collected fees will be paid to the Town of Stratford and received by the Select Board Office for deposit into the Town's general fund.

_6 No fee shall be charged for the inspection, without copying, of paper documents.

SB1-A, 5 Policy Changes Changes shall be presented and discussed during a regularly scheduled Select Board meeting. Changes required to align this policy with new or updated State RSA 91a language shall be made as soon as the Select Board becomes aware of such changes.

2024-12-30