



## Sunshine Law Policy

All meetings, records and votes are open to the public, except that the Library may close any meeting, record or vote pursuant to the provisions of the Missouri Sunshine Law, or by any other statute of Missouri, or by any statute or regulation of the United States government. All meetings, records or votes of the Library which are permitted to be closed by reason of the Sunshine Law, or by any other statute of Missouri, or by any statute or regulation of the United States government are deemed to be closed meetings, records or votes.

Except to the extent disclosure is otherwise required by law, the Library is authorized to close meetings, records and votes to the extent they relate to the following:

- Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;
- Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that an employee so affected shall be entitled to prompt notice of such decision during the seventy-two- hour period before such decision is made available to the public. As used in this subdivision, the term “personal information” means information relating to the performance or merit of individual employees;
- Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

- Software codes for electronic data processing and documentation thereof;
- Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;
- Records which are protected from disclosure by law;
- Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;
- Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;
- Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:
  - Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;
  - When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;
  - Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is

not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

- The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;
- Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;
- Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

### **III. Custodian of Records Designated**

The Library Director is the Custodian of Records for the Library. The Custodian of Records is located at 301 East Lockwood Avenue, Webster Groves, MO 63119. Requests for records made to persons other than the Custodian of Records may not be considered to be requests that are made pursuant to the Missouri Sunshine Law, Chapter 610 RSMo.

### **IV. How Records are Requested**

All requests for records are to be made in writing; however, it shall not be a reason to refuse the request that the person making the request declines to put the request in writing. The Custodian of Records may require that requests be accompanied by a deposit of the estimated cost of researching and reproducing the requested information. Oral requests, if received by the Library, shall be immediately recorded in written form by the Custodian of Records to document the same.

## **V. Response Within 3 Business Days**

Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the Custodian of Records. If records are requested in a certain format, the Library shall provide the records in the requested format if such format is available. If access to the public record is not granted immediately, the Custodian of Records shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. If a request for access is denied, the Custodian of Records shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received.

## **VI. Documentation of Response**

The Custodian of Records shall document the response provided by retaining a copy of the request and the response to the request. In addition, the Custodian of Records shall either retain a copy of the documents provided or a brief description of them.

## **VII. Request for Searches**

Any search request that will require more than 30 minutes of staff time may be declined without an advance deposit for the estimated time required to search for the records.

## **VIII. Fees for Retrieval and Copies**

Fees for copying records shall not exceed ten cents per page for a paper copy not larger than nine by fourteen inches, with the hourly fee for duplicating time not to exceed the average hourly rate of pay for clerical staff of the Library. Research time required for fulfilling records requests will be charged at the actual cost of research time. Based on the scope of the request, the Library shall produce the copies using employees that result in the lowest amount of charges for search, research, and duplication time.

Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include only the actual cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the Library required for making copies and programming, if necessary, and the cost of the disk, or other medium used for the duplication.

If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming.

Payment of such copying fees may be requested prior to the making of copies.

## **IX. Waiver of Fees**

The Custodian of Records may elect to waive the collection of any of the fees totaling less than \$5 provided in Section Eight. No person or organization shall receive more than 3 such waivers in any 12-month period.

## **X. Authorized Recipients of Closed Records**

No closed records shall be released to any person who is not a part of the Library's staff, except that the Library's auditor may see such records as are reasonably necessary to prepare an audit report as requested by the Library. The Library's outside counsel may see such records as are reasonably necessary to represent the Library and, in addition, closed records are available to the U. S. Department of Housing and Urban Development.

## **XI. Notice of Meetings**

The Library will give notice of the time, date, place and tentative agenda of each meeting of the Board of Trustees at least 24 hours (exclusive of holidays and weekends) prior to the meeting unless an emergency makes it impossible to do so.

## **XII. Normal Meeting Place, Time, and Date**

Regular meetings of the Webster Groves Public Library Board of Trustees are held on the third Wednesday of the month at the Webster Groves Library, 301 East Lockwood Avenue, Webster Groves, Missouri at 7:00 p.m., except when a different time and place are agreed upon by the Board of Trustees.

*Approved 3/19/2025*