

Knowing how to use the Log will help you to understand the UIPA process better.

Write down questions and later call OIP at 586-1400 or e-mail oip@hawaii.gov

UIPA requires disclosure of government and personal records, unless an exception applies.

"Government record" means information maintained by an agency in written, auditory, visual, electronic, or other physical form. Includes e-mails, audio recordings, videos.

"Personal record" means any item, collection, or grouping of information "about" an <u>individual</u> that is maintained by an agency.

Most requests for records are subject to the UIPA, but do not log:

Routine requests: oral or written; typically granted or denied without supervisory review; with or without payment of a fee Report <u>estimated</u> number of routine requests but do not log



- Subpoenas or discovery of records in court cases are not UIPA requests.
- Do <u>not</u> log or include in estimate of routine requests



WHAT TO LOG:

Log only formal written requests for which the Notice to Requester is sent, whether using OIP's form or agency's written version

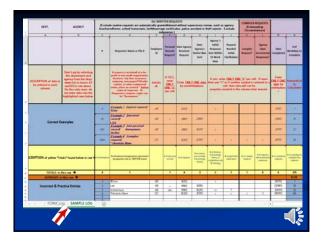


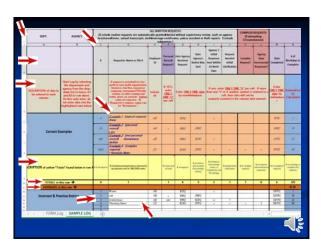
The Log is a management tool.

Even if you are not entering the data into the Log, supervisors and managers need to know how to spot mistakes in Log data entries and how to use the Log to better manage agency's processing of UIPA record requests.

The public can view the Log, too.







Log's colored areas are to help, not for data entry. Enter data only in white cells, and not all white cells

The Log has pop-up instructions ... just mouse cursor over the column heading.

For detailed UIPA Log Instructions, Frequently Asked Questions, & other training materials:

- visit OIP's Training page at oip.hawaii.gov
- click on Laws/Rules/Opinions, then the UIPA page:

http://oip.hawaii.gov/laws-rulesopinions/uipa/uipa-record-request-log/



Hawaii's Public Records Law

HRS § 92F-18 requires each agency to:

- Inform employees of the UIPA's requirements
- Compile a report using forms prescribed by OIP
- Ensure that the information remains accurate and complete



Benefits! ... the UIPA Log helps an agency to:

- Track written UIPA requests for records & the agency's response
- Report requests & outcomes
- Assist the public & comply with UIPA
- Calculate fees & costs
- Keep government open and accountable



Make copy (not PDF) of Log and submit with Checklist to OIP through department's UIPA Coordinator:

January 31: "Semiannual Log" due for requests received from July 1 through December 31 July 31: "Year-end Log" due for requests received from July 1 through June 30

Start a new agency Log each July 1, but keep the Log for the prior FY open until July 15 to record how requests received thru June 30 were resolved

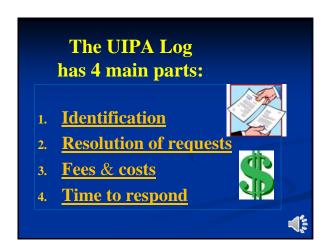


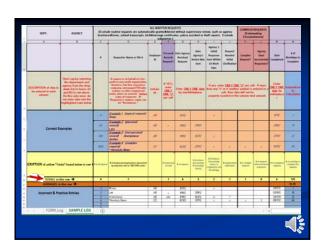
Checklist

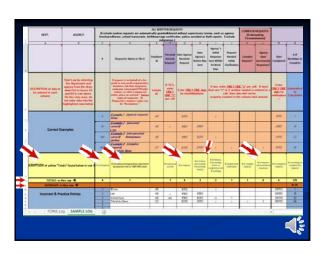
- Checklist helps you spot data errors
 - Before submitting Checklist to OIP, please correct any data entry errors.
 - Use correct Checklist: FY 16 different from FY 17
 - Submit completed Log and Checklist to OIP by January 31 and July 31 each year.

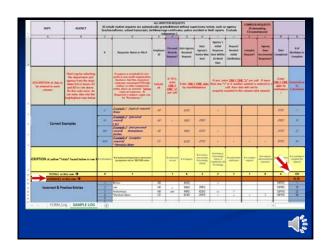
OIP will upload your Log totals and routine requests estimate to the Master Log on <u>data.hawaii.gov</u> and will prepare reports posted at <u>oip.hawaii.gov</u>.

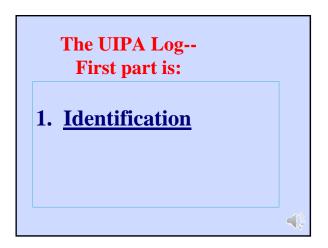


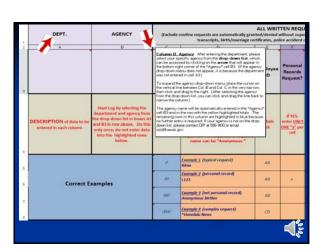




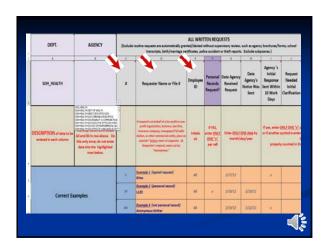








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Column D: Requesters' names

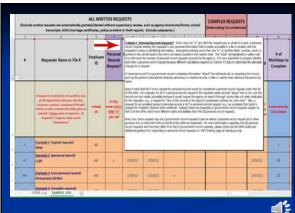
- Place asterisk * before name to ID business or nonprofit organization
- Col. D will be deleted for posting on Master Log, but not deleted by OIP if Log itself is requested



Column D: Redacting Requesters' names

- Requester's names not redacted for government record requests made under Part II of the UIPA
- Use Requesters' initials or case number for personal record requests made under Part III
- "Anonymous" ok on Log, but personal record requests cannot be made anonymously
- Part II government records requests may be made anonymously

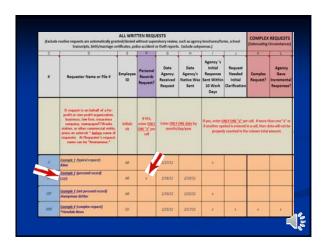






Column F: Q. What is a "personal record?" A. A "personal record" is a government record that contains information "about" the individual who is requesting the record. But records that are not readily accessible need not be disclosed.

Not every request for personal records would be considered a personal record request under UIPA, Part III For example, if a requester seeks information "about him" that is not readily accessible because the agency would have to search through all of its files for such information, then it is not a personal records request. As another example, a request for an unrelated person's personal records, such as a birth certificate, is not a personal record request. President Obama can make a personal record request for President Obama can make a personal record request for President Obama son make a personal record request subject to Part II of the UIPA, which has different requirements from personal record requests.



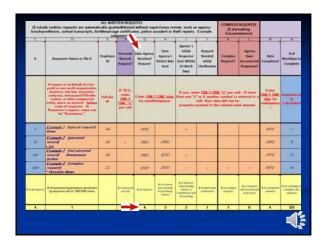
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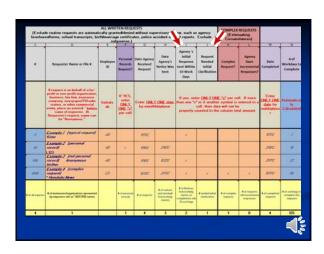
Columns G thru J:

- Date of agency's receipt of request
- Date agency sent its Notice to Requester
- Did agency initially respond within 10 work days?
- Did request need **initial clarification?**

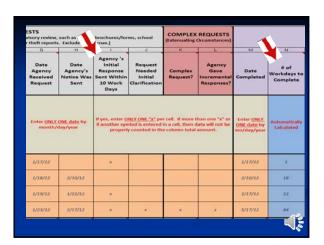




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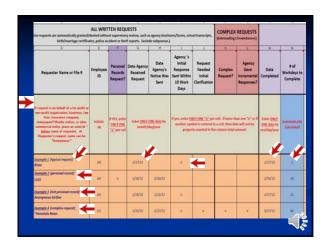


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Column K Complex Requests • Enter only one "x" in Column K if this is a COMPLEX request involving extenuating circumstances or voluminous records • If more than one "x" or any other letter, word, or symbol is improperly entered, Log will count it as a typical request, not complex

Column L: Complex Requests – Incremental Responses Enter only one "x" in Column L if incremental responses were sent in a complex case



The UIPA Log-Second part is:

- 1. <u>Identification</u>
- 2. Resolution of requests

Columns M & N: Request Resolution





■ Col. N = # of workdays to complete is automatically calculated, based on date the request was received and date of completion. (Holidays are included as a "workday.")



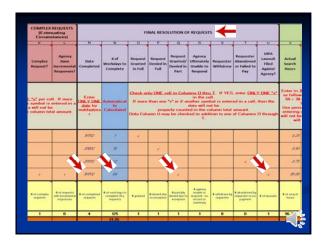
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Columns O thru U: Request Resolution

- Request granted in full?
- Request withdrawn?
- Denied in full?
- Granted/Denied in part?
- Agency unable to respond?
- Requester abandoned or failed to pay fees & costs?
- Lawsuit filed?

An agency should check ONLY ONE CELL in Columns O through T, but can additionally check Column U. See Example 4.





The UIPA Log-Third part is:

- 1. Identification
- 2. Resolution of requests
- 3. Fees & costs



UIPA Log, Part 3: Fees & Costs



<u>Automatic Calculations</u> based on agency's input of hours, costs, & fee waivers

- Search, review, segregation <u>fees</u> (SRS)
 -- Fee waivers
- Copy/delivery costs
- Total fees and costs ALL compared to COMPLEX requests

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Search, Review, Segregation Fees (SRS) Q & A

■ What are SRS fees?

These are fees that the agency may charge for time spent searching for, reviewing, and segregating government records in response to a request:

\$2.50 per fifteen minutes or fraction thereof for **searching** for the record; and

\$5.00 per fifteen minutes or fraction thereof for **reviewing and segregating** the record.



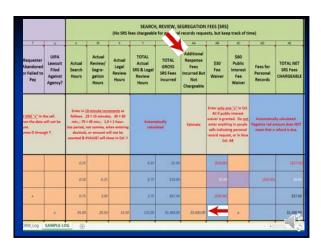
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Requester Abandoned or Failed to Pay	UIPA Lewsuit Filed Against Agency?	Actual Search Hours	Actual Review/ Segre- gation Hours	Actual Legal Review Hours	TOTAL Actual SRS & Legal Review Hours	TOTAL GROSS SRS Fees Incurred	Additional Response Fees Incurred But Not Chargeable	\$30 Fee Walver	\$60 Public Interest Fee Walver	Fees for Personal Records	TOTAL NET SRS Fees CHARGEABLE
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		0.50	100		175	\$10.00 \$67.50		(\$30.00)		(\$10.00)	\$37.50



Search, Review, Segregation Fees (SRS) Q & A

What are fee waivers?

The agency **must** waive <u>the first \$30</u> in fees for search, review, and segregation ...

OR the first \$60 where the agency finds that the requester has met the requirements under OIP's administrative rules for a public interest waiver.



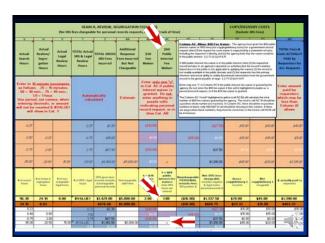
Search, Review, Segregation Fees (SRS) Q & A

■ How are \$30 fee waivers shown on the Log?

The Log will automatically enter the \$30 fee waiver as a negative number, which will show up in RED as (\$30.00) in column AB.

(But yellow totals in cell AB10 are for the <u>total number</u> of \$30 fee waivers, and should be a positive number.)

■ For a <u>personal</u> records request highlighted in purple, the Log will automatically enter (\$0.00) because SRS fees may not be charged.



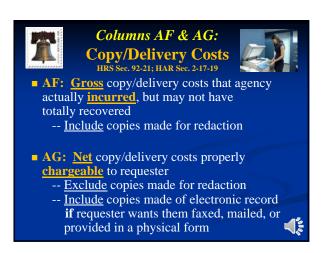
(No SRS	SEARCI fees chargeab		COPY/DELIVERY COSTS (Facilities SRS Fees)							
Х.	V		AA	A6	AC	A0	H.	W	46	
Actual Legal Review Hours	TOTAL Actual SRS & Legal Review Hours	TOTAL GROSS SRS Fees Incurred	Additional Response Fees incurred But Not Chargeable	530 Fee Walver	\$60 Public Interest Fee Waiver	Fees for Personal Records	TOTAL NET SRS Fees CHARGEABLE	OROSS Copy/Delivery Costs that Agency INCURRED	NET Capy/Deliver Costs CHARGEABLE to Requester	
ezementa mirades; 45 mir.; na, atent r antount BVALUE! I, Y	Automotically calculated		Estimate	Enter only one "x" in Cal. AC if public informs waiver is granted. Do pat, enter empthing in pupple calls indicating personal record request, or in blue Col. AB		Negative red NOT mean	ly calculated aromary class that a refund has	PRESCRIPE aggeracy's accepting consts to revolve & resident Corres should be greater than on equal to not essets.	COCLUME agency's copping creatis to content the content institute content institute agencies', on agencies', copies, Net should be less then or equal to gence conte	
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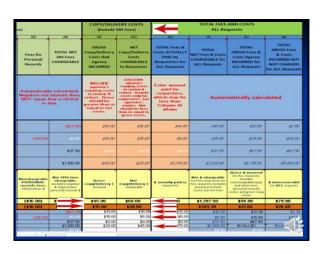
Column AD: Fees for Personal Records Will be subtracted from net amounts chargeable in Column AE CANNOT be charged by the agency Not a refund to requester

SEARCH, REVIEW, SEGREGATION FEES (SRS) (No SRS fees chargeable for personal records requests, but keep track of p' w)												
V	~	×	Y	2	AA	40	- AC	AD	46	16		
Actual Search Hours	Actual Review/ Segre- gation Hours	Actual Lagal Review Hours	TOTAL Actual SRS & Legal Review Hours	TOTAL GROSS SRS Fees Incurred	Additional Response Fees Incurred But Not Chargeable	\$60 \$30 Public Fee Interest Waiver Fee Waiver		Fees for Personal Records CHARGEABLE		GROSS Copy/Delivery Costs that Agency INCURRED		
Enter in 15 minute increments on follows: 25 = 55 minutes; 30 = 30 min; 27 = 45 min; 2 = 1 hour, the procedure out comme, when entering decimals, or associat will not be counted & 4VALUEI will show in Col. Y			Autori		Estimate	enter anyth cells indicat	ic interest oted. Do not ing in purple ing personal	Negative red as	By calculated, sount does MOT refund is due.	DECLIESE agency's copping costs is review is reduct firms aboutd be greater than or		
counted & P	VACUET WIRE	how in Col. Y					est, or in blue AB			repeat to rest		
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	VALUET WIR of	new in Col. Y	0.29	\$1.50		Col		1810.00	(527.90)	equal to not seeds.		
0.25		now in Col. Y				Col		(810.018)	\$37.50	equal to not seeds.		
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SEARCH, REVIEW, SEGREGATION FEES (SRS) (No SRS fees chargeable for personal records requests, but keep track of time)									VERY COSTS SAS Feed	TOTAL FEES AND COSTS ALL Requests							
Actual Legal Review Hours	TOTAL Actual SRS & Legal Review Hours	101AL GROSS SRS Fees Incurred	GROSS SRS Fees	GACISS SAS Fees	GACISS SAS Fees	GADSS SRS Fees	Additional Response Fees Incurred But Nat Chargoable	\$30 Fee Walver	560 Public Interest Fee Waiver	Fees for Personal Records	TOTAL NET SRS feet CHARGEABLE	GROSS Capp/Delivery Casts that Agency INCURRED	AET Copy/Orlivery Costs OHAMISEABLE to Requester	TOTAL Feet & Costs ACTUALLY PAID by Requestors for ALL Requests	TOTAL NET Feet & Cents CAMBILABLE for ALL Requests	TOTAL GROSS fees & Cents Agency SYCLAMID for ALL Requests	TOTAL GROSS Free & Carts MCAMBED BUT NOT CHAMBED for ALL Requests
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Columns AH thru AK: Total Fees & Costs



Agency to input:

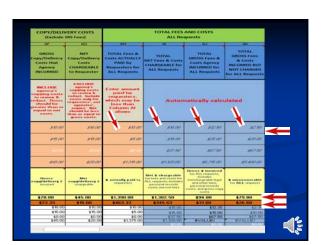
- Total fees & costs <u>actually paid</u> by requester (AH) Log automatically calculates:
- Total net fees & costs <u>chargeable</u> (AI) make sure amounts paid in AH do not exceed AI amount
- Total gross fees & costs incurred (AJ)
- Total gross fees & costs <u>incurred but not charged</u>
 (AK)

ENTRY TIP

The calculations and information obtained are only as good as the data that is entered by the agency.

Agencies must properly enter the data, especially in Columns F and K, which identify personal record and complex requests.

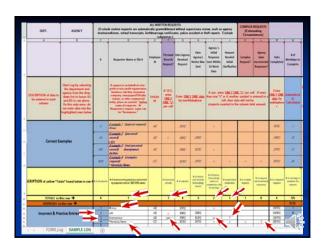




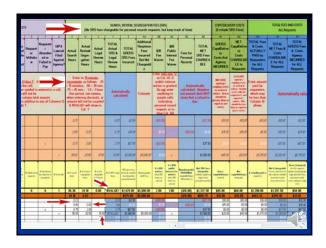
2	3

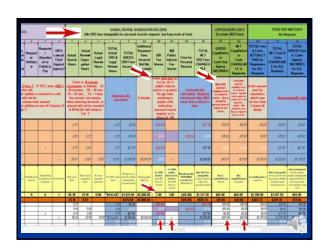
The UIPA Log--Fourth part is:

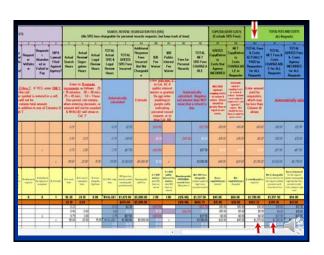
- 1. **Identification**
- 2. Resolution of requests
- 3. **Fees and costs**
- 4. Time to respond



t reports.	agency Exclude	[If also	REQUESTS national statemal	FINAL RESOLUTION OF REQUESTS										(No. 16			
Agency is bolded Response and William 10 Work Days	Request Needed total Carification	Complex Request?	Agency Store Incremental Responses?	Date Completed	# of Worksleys to Complete	Request Granted In Full	Request Denied in Sult	Request Granted/ Decided in Part	Agency Litinatisty Unable to Respond		Requester Abandoned or Falled to Fay	189A Lancolt Filed Against Agency?	Actual Search Hours	Actual Neview/ Segre- gation Major	Actival Legal Review		
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Submitting the Log and Checklist Submit your completed Log and Checklist to OIP (oip@hawaii.gov) by the January 31 and July 31 deadlines each year. Before submitting to OIP your agency's completed UIPA Record Request Log, please review the data entries, correct any data entry errors, and complete the Checklist that must accompany the Log. OIP will upload your Log totals and routine requests estimate to the Master Log on data.hawaii.gov and will prepare State and County reports posted at oip.hawaii.gov



