

THE HOUSING AUTHORITY OF THE CITY OF BILOXI, MISSISSIPPI PUBLIC RECORDS POLICY


The following is the Policy of The Housing Authority of the City of Biloxi, Mississippi ("BHA") with respect to requests to view or reproduce public records under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17 of the Mississippi Code of 1972, as amended (the "Act"). Capitalized terms not defined in this Policy shall have the meanings given in the Act.

It is the Policy of BHA that all Public Records, as such term is defined in the Act, not privileged or protected from disclosure under any applicable law, including all books, records, papers, accounts, letters, maps, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work or duty of BHA, shall be open to review, inspection and reproduction by the public in accordance with the following:

1. Requests to be in Writing. All requests to review or reproduce any Public Records shall be made in writing and submitted to the Executive Director of BHA. The request must be on the form prescribed by BHA and must state with specificity the Public Record(s) requested, including the date of the Public Record(s), if available.
2. Time for Fulfilling Requests. Except as provided below, all requests to review or reproduce Public Records shall be fulfilled or denied within seven (7) working days of receipt of the request by BHA. In the event BHA is unable to fulfill a request within seven (7) working days of receipt of the request, BHA's Executive Director shall notify the requestor in writing that the request cannot be fulfilled within seven (7) working days and giving the reason(s) that the request cannot be fulfilled within seven (7) working days. All such requests shall be fulfilled within fourteen (14) working days of the request unless otherwise agreed by the requestor, subject to the provisions of the Act relative to competitive sealed proposals.
3. Confidential Information. A request to review or reproduce any record containing trade secrets or commercial or financial information or other proprietary information furnished to BHA by a third party shall not be subject to inspection, examination; copying or reproduction under until BHA has provided notice to third parties, but the records shall be released no later than twenty-one (21) days from the date BHA provides the third parties notice unless the third parties have filed in chancery court a petition seeking a protective order on or before the expiration of the twenty-one (21) day time period.
4. BHA shall use reasonable discretion in determining whether any records contain trade secrets or confidential commercial or financial information or other proprietary information belonging to a third party. Except as provided in Paragraph 6 below, BHA shall have no obligation to consider any records containing information provided by a third party to be confidential unless such records are have been marked "Confidential" by the third party.

5. Denied Requests. The denial of any request to review or reproduce Public Records shall be made by BHA in writing and shall contain a specific reason for the denial. BHA shall keep a record copy of all denied requests for a period of not less than three (3) years from the date of the denial.
6. Approved Requests. If a request to review or reproduce Public Records is approved, the person making the request will be notified of the time and place at which the Public Records will be made available. The person making such a request will be required to pay the actual costs of retrieving the Public Records prior to viewing. The actual costs of retrieval shall include, but not necessarily be limited to, clerical time at BHA's standard wage rates, travel and other actual costs for retrieval from offsite storage. If the person making the request has requested photocopies or other reproductions of the Public Records, BHA shall notify the requestor of the total number of pages to be reproduced and the total cost of reproduction. Photocopies shall be at the cost of \$0.50 per page. Reproductions of photographs and other materials shall be at actual cost to BHA. The period of time between notification by BHA of the cost of reproduction and receipt of payment by BHA shall not be considered part of the time for BHA to respond.
7. Categorical Exclusions. Nothing in this Policy shall require disclosure of any records to the extent such records constitute or include information now or hereafter protected or privileged under applicable law, including, without limitation, the provisions of the Act.
8. Publication of Policy. This Policy shall be inserted in the Minute Book of BHA, shall be available for inspection at any time in the office of BHA's Executive Director, and shall be posted on BHA's website.

Adopted by the Board of Commissioners for The Housing Authority of the City of Biloxi, Mississippi on October 11, 2017, effective from and after October 11, 2017.



Helen C. Werby, Executive Director



Reason Denied: