ROXBURY, NEW HAMPSHIRE

Right To Know Policy, Procedures and Request Form

APPROVED BY ROXBURY SELECTBOARD
APRIL 7, 2026

The purpose of this policy is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people. In the end, all actions must be made with just intentions and never intended to circumvent the spirit of the law.

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Section 1.0 - Overview

1.1 Purpose

This policy is intended to guide Town officials and employees to effectively and efficiently handle Right to Know requests. This document serves as a guidance policy and should not be considered a town ordinance or regulations of legal weight. It is recommended that all parties familiarize themselves with the actual law as written under NH RSA 91-A.

a. This policy is designed to help outline what steps must be taken by Town officials and employees to adequately meet the requirements of the state regulations around public information requests.

b. This policy is also designed to clarify how a Right to Know request should be submitted and received by the interested parties while also outlining proper expectations.

Overall, the Town seeks to balance openness and transparency with confidentiality and privacy (in accordance with RSA 91-A) all while trying to be efficient with staff time and Town resources.

1.2 Scope

This policy and the subsequent NH state statutes apply to *Governmental Records* maintained by *Public Agencies* and *Public Bodies*. Specifically, to Roxbury, this would include but is not limited to Roxbury NH governmental meetings, quasi-governmental meetings, subcommittees, and town departments.

Records for Right to Know requests are only required to be provided to legal New Hampshire residents. Nothing in the law requires the Town to provide information to an out-of-state individual. *See* McBurney v Young, 569 U.S. 221 (2013). Requests from out-of-state individuals will be reviewed and analyzed on a case-by-case basis.

A reasonably good faith effort will be made to provide records for all Right to Know requests. In line with the spirit of NH RSA 91-A, governmental agents/agencies should assist the Right to Know Requester as much as reasonably possible to reinforce trust, openness, and cooperation.

There are exemptions to the regulations in which records can be considered *Non-Public* and are not subject to release upon request. For further details on non-public exemptions please see NH RSA 91-A:3.

There are other exemptions including, but not limited to, draft notes, attorney-client privilege communication, public safety information, school records of minors, and similar information. For further details on the allowable exemptions please see RSA 91-A:5.

1.3 Legal Definitions from RSA 91-A

"Advisory committee" means any committee, council, commission, or other like body whose primary purpose is to consider an issue or issues designated by the appointing authority so as to provide such authority with advice or recommendations concerning the formulation of any public policy or legislation that may be promoted, modified, or opposed by such authority.

"Governmental proceedings" means the transaction of any functions affecting any or all citizens of the state by a public body.

"Governmental records" means any information created, accepted, or obtained by, or on behalf of, any public body, or a quorum or majority thereof, or any public agency in furtherance of its official function. Without limiting the foregoing, the term "governmental records" includes any written communication or other information, whether in paper, electronic, or other physical form, received by a quorum or majority of a public body in furtherance of its official function, whether at a meeting or outside a meeting of the body. The term "governmental records" shall also include the term "public records."

"Information" means knowledge, opinions, facts, or data of any kind and in whatever physical form kept or maintained, including, but not limited to, written, aural, visual, electronic, or other physical form.

For additional legal definitions please reference RSA 91-A:5

Section 2.0 – Obtaining Public Records

2.1 Requesting Information

RSA 91-A:4 - "Every citizen during the regular or business hours of all public bodies or agencies, and on the regular business premises of such public bodies or agencies, has the right to inspect all governmental records in the possession, custody, or control of such public bodies or agencies, including minutes of meetings of the public bodies, and to copy and make memoranda or abstracts of the records or minutes so inspected, except as otherwise prohibited by statute or RSA 91-A:5."

2.1.1 Requests for records that can be immediately released

a. Requestors should first make a reasonable effort to find the records they seek on the Town website https://roxburynh.org/. Many past meeting minutes can be found there. Additionally, information on town events, activities, projects, and similar items may also be found on the town website. When requesting records not directly accessible on the town website, the requestor should follow the process below to request the information.

   Records for immediate release are considered to already be available or easily accessible and currently meeting or have met the requirements of RSA 91-A.

2.1.2 Request for records that require additional support and resources to provide

a. All requests for information should be submitted to the Selectboard's Office in order to provide a single point of contact for requestors. This process will allow the Town to efficiently and effectively disseminate the request to all applicable parties with the intent of meeting the legal timeframe in which requests need to be responded to.

b. The completion of an application is not legally required to request public information, but it is highly recommended that the requesting party complete a request form "Roxbury NH Right to Know (RTK) Request Form" for Town employees to accurately provide timely information to requestors. Reference the addendum to this policy for more details on the application process.

   If the requestor does not complete the form, the Selectboard should do so on behalf of the requestor ensuring that the records that are being requested are clearly captured and understood to allow completion of the Right to Know Request.

c. To confirm the accuracy of the request and to start the timeline as outlined in RSA

91-A, it is highly recommended that the requesting party sign and date the application before submitting it for the processing of the request.

d. Once an application and/or request has been officially received by the Roxbury NH Selectboard's Office, the Selectboard has five business days to complete said request, deny the request, and/or provide a written statement of the time reasonably necessary to determine whether the request shall be granted or denied and the reason for the delay. To ensure that a request is understood and to confirm or deny the existence of responsive records, all Right To Know requests will be subject to review at the Selectboard meeting following receipt of the request. This review process will not preclude the Selectboard from acknowledging receipt of a request in accordance with RSA 91-A and providing an estimate of the time required to respond to the request.

2.2 Gathering and Organizing Information

a. Upon receipt of the request by the Roxbury NH Selectboard's Office, a representative from said office shall consult with other departments as necessary to obtain the requested information.

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

c. Information collected for the Right to Know request shall be provided to the requestor in its native format in which it was originally created. This will require no additional time or resources to convert documents and will provide all original information associated with the information that was requested and provided to the requestor. Native Format files will provide file creation date, author, modification dates, date email was sent, original attachments to emails and other relevant data.

2.3 Completing a Public Information Request

a. Information that has been gathered should be organized and presented to the requestor for inspection, but it should be known that there is no legal obligation for the public body "to compile, cross- reference, or assemble information into a form in which it is not already kept or reported by that body or agency.

b. A log of Right to Know requests will be kept in a separate file in the Selectboard's office along with the corresponding (completed) Right to Know request form.

c. If the Town is unable to make a governmental record available for immediate inspection and copying, the Town must, within 5 business days of a request, make such record available, deny the request in writing with reasons, and/or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied (the Right to Know Form should be used for this purpose).

d. **Government records provided in response to a Right to Know request must be picked up in person during regular business hours at the Selectboard Office, 3 Middletown Road, Roxbury, NH.**

2.4 Applicable Costs

a. The individual requesting a copy of governmental records will be charged to the maximum extent permitted by law for the Town to respond, but no additional profits should be included by the town or governmental agency.

b. In the same manner as set forth in RSA 91-A:4, IV, any public body or agency which maintains governmental records in electronic format may, in lieu of providing original records, copy governmental records requested to electronic media using standard or common file formats in a manner that does not reveal information which is confidential under this chapter or any other law. If copying to electronic media is not reasonably practicable, or if the person or entity requesting access requests a different method, the public body or agency may provide a printout of governmental records requested, or may use any other means reasonably calculated to comply with the request in light of the purpose of this chapter as expressed in RSA 91-A:1. Access to work papers, personnel data, and other confidential information under RSA 91-A:5, IV shall not be provided.

c. If information is provided to a requestor

    1. on electronic media (e.g., thumb drive) provided by the Selectboard, a fee will be charged. The current fee is $5.00 per thumb drive.

    2. on electronic media (e.g., thumb drive) provided by the requestor, the digital media will be reformatted by the Selectboard prior to copying the files.

    3. on paper, a per page fee will be charged. The current fee is $0.25 per page for black and white copies and $0.50 per page for color copies.

Section 3.0 – Policy Changes

3.1 How to make changes to this policy

a. Proposed changes to this policy can be presented to the Selectboard.

b. Proposed Changes should be discussed during a regularly scheduled Selectboard's meeting.

c. Following discussion of the proposed changes the Selectboard will vote on them.

Roxbury, New Hampshire's
Right to Know (RTK) Request Form

Pursuant to the Right to Know Law (NH RSA. 91-A), I am requesting public access, within five business days, to the governmental records reasonably described as follows.

Name of the Public Body associated with request

_____

_____

Describe the records sought with enough detail for the public agency to respond

_____

_____

_____

_____

_____

_____

_____

_____

_____

Timeframe in question

From _____/_____/_____ To _____/_____/_____

Month Day Year *Month Day Year*

Person Making the Request:

Name (optional): _____

Phone: _____ and/or Email: _____

Signature of Requestor (optional): _____

Date of Request: _____

For Selectboard Use Only:

Town Official in Receipt of Request: _____

Date Request Received: _____