

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

By law, under the Inspection of Public Records Act ("the Act"), Section 14-2-1 *et seq.* NMSA 1978, and subject to the limitation of Section 22-11-55 NMSA 1978 of the Educational Retirement Act, every person has the right to inspect public records of the Educational Retirement Board. The Act also makes compliance with requests to inspect public records an integral part of the routine duties of the officers and employees of the Educational Retirement Board.

Requests to inspect public records should be submitted to the Educational Retirement Board, Mr. Rick Scroggins, Deputy Director and Records Custodian, at 701 Camino de los Marquez, Santa Fe, New Mexico, 87502 or via e-mail to Rick.Scroggins @state.nm.us.

A person desiring to inspect public records may submit a request to the records custodian orally or in writing. However, the procedures and penalties prescribed by the Act apply only to written requests. A written request must contain the name, address and telephone number of the person making the request. The request must describe the records sought in sufficient detail to enable the records custodian to identify and locate the requested records.

The records custodian must permit inspection immediately or as soon as practicable, but no later than fifteen (15) calendar days after the records custodian receives the inspection request. If inspection is not permitted within three (3) business days, the person making the request will receive a written response explaining when the records will be available for inspection or when the public body will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a written response from the records custodian explaining the reasons inspection has been denied. The written denial shall be delivered or mailed within fifteen (15) calendar days after the records custodian received the request for inspection.

If a person requesting inspection would like a copy of a public record, a reasonable fee may be charged. The fee for printed documents eleven inches by seventeen inches or smaller is \$0.50 per page. The fee for larger documents is \$0.75 per page. The fee for electronic copies is \$0.35 per page. In addition, the ERB reserves the right to charge reasonable fees for searching, manipulating, compiling and retrieving information contained in its database pursuant to NMSA 1978 Section 14-3-15.1(F). The records custodian may request that applicable fees for copying public records, whether on paper or electronically be paid in advance, before the copies are made or prepared. A receipt indicating that the fees have been paid for making copies of public records will be provided upon request to the person requesting the copies.