

Wood County Board of Developmental Disabilities

PROCEDURE

Procedure #: 02-ALL-ALL-0713 (HR)
Effective Date: 11-28-07
Person Responsible: Human Resources Coordinator

Subject: Public Records
Last Revision: 08-31-2022

Approvals/Date: Brent CS aer, 8/31/22
Superintendent, WCBDD Date Department Director Date

The following definitions will apply:
Public Record (House Bill 9) - Requires that there will be no limitation of public records that will be made available to a single person, may not limit the number of public records it will make available in any fixed period of time and may not establish a fixed period of time before it will respond to a request, unless that fixed time is less than 8 hours. It also mandates that the Board display a poster regarding access to public records and enhances relief available to those who successfully sue to obtain public records.

1. In accordance with the Ohio Revised Code and applicable judicial decisions, records are defined as any item that contains information stored on a fixed medium (such as paper, electronic-including but not limited to email-and other formats); (ii) is created or received by, or sent under the jurisdiction of a public office and (iii) documents the organization, functions, policies, decisions, procedures operations or other activities of the office. Public records are to be open to the public at all reasonable times with exceptions only as provided for in the law. As required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying at all reasonable times during regular business hours. Record retention schedules are to be updated as needed.

- 2. Record Requests - Each request for public records should be evaluated for a response using the following guidelines:
A. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records.
B. The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record.
C. Public records will be available for inspection during regular business hours, with the exception of published holidays. Public records will be made available for inspection promptly. Copies of public records will be made within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.
D. Each request shall be evaluated for an estimated length of time required to gather the records.
E. Any denials, in whole or in part, must include an explanation. If the original request was in writing, the explanation for denial must also be in writing. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released.
F. Requests for records are to be submitted to the Human Resources Coordinator.

3. Costs for Public Records - Those seeking public records will be charged only the cost of making copies. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies. All costs must be paid to the Board before records are released

4. E-mail - All e-mail (current or deleted) is to be treated in the same fashion as records in other formats and should follow the same retention schedule.

5. The procedure will be displayed on the agency's website and distributed to employees who have custody of the public records or otherwise manage the records of the public office. The procedure will also be included in the personnel handbook and incorporated in orientation.

Reference: Legal Alert 2008-11

tar\procedure\hr0713

