

Stark County Board of Developmental Disabilities

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PUBLIC RECORDS REQUESTS

POLICY

The Stark County Board of Developmental Disabilities recognizes its obligations as set forth in Chapter 149 of the Ohio Revised Code regarding public records. Therefore, the Board will ensure that records are organized and maintained so that they are readily available to the public for inspection and copying. All exemptions to public information are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. The Board maintains a copy of the current records retention schedule on the Board's website at <http://www.starkdd.org>.

The Board, in accordance with the Public Records Act (Section 149.43 of the Ohio Revised Code), defines a "public record" as including the following: Any item that is stored on a fixed medium (i.e. paper, computer, film); that is created, received, or sent by a public office; and that documents the organization, functions, policies, decisions, procedures, operations or other activities of the Board. All records of the Stark County Board of Developmental Disabilities are public unless they are exempt from disclosure under the Ohio Revised Code.

The Superintendent will develop procedures to implement this policy.

Historical Resolution Information		Reviewer(s): Superintendent
Date	Resolution Number	
2/18/11	02-24-11	
3/23/13	03-24-13	
5/24/16	05-24-16	

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PROCEDURE

- I. If an employee, supervisor, or department head receives a public information request, the Superintendent's Office should be informed either by phone or in writing. The Superintendent will make the necessary notifications to the Board that a records request has been made and may seek legal review of the requested information.
- II. Although no specific language is required to make a public information request, the requester must at least identify the records requested with sufficient clarity to allow the Board to identify, retrieve, and review the records. If it is not clear what records are being sought, the Superintendent's designee, must contact the requester for clarification, and should assist the requester in revising the request by informing the requester of the manner in which the Board keeps its records.
- III. 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. However, the Board may ask for a written request and may ask for the requester's identity and/or intended use of the information to help identify, locate, or deliver the records being sought. The Board is not required to create records that otherwise do not exist.
- IV. Public records are to be available for inspection by appointment from 8:00 a.m. to 4:30 p.m., Monday through Friday during regular business hours, with the exception of published holidays.
- V. Public records must be made available for inspection promptly and copies of public records must be made available 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.
- VI. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic form that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

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- VII. All requests for public records must be acknowledged in writing by the Board within three business days following the receipt of the request. If a request is voluminous or will require research, the acknowledgement must include the following:
- a. An estimated number of business days it will take to satisfy the request.
 - b. An estimated cost if copies are requested.
 - c. Any items within the request that may be exempt from disclosure.
- VIII. Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.
- IX. Those seeking public records will be charged only the actual cost of making copies. The charge for paper copies is \$.10 cents per page or the amount required by law. The charge for downloaded computer files to a compact disc is \$1.00 per disk or the amount required by law. There is no charge for e-mailed documents.
- X. Requesters may ask that documents be mailed to them. They will be charged the actual cost of postage and mailing supplies, in addition to the cost to make the copies.
- XI. The Board may choose to waive any and all costs associated with fulfillment of a public record request. Any waiver of costs should not be construed to waive the Board's right to request and collect actual costs associated with fulfillment of a later public record request.