Hardin County Board of Developmental Disabilities
POLICY

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Title: Board – Public Records		
Regulatory Authority: ORC 149.43		
Effective Date: 9/18/2018, Review Date: 2/15/2022		
Reviewer/Job Title: Superintendent or designee		

ADMINISTRATION
PUBLIC RECORDS

(A) OVERVIEW

(1) The Hardin County Board of Developmental Disabilities (HCBDD) believes that openness and transparency leads to better informed stakeholders and therefore creates better government and better public policy. It is the policy of the HCBDD to adhere to the Ohio Public Records Act.

(2) HCBDD shall post a copy of its public records policy in a public place in all buildings. A copy will also be maintained on the HCBDD website.

(3) A copy of the record retention schedule will be posted on the HCBDD website.

(B) DEFINITION OF PUBLIC RECORDS

(1) In accordance with the Ohio Revised Code, the HCBDD defines records as: any document, device, or item – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of the HCBDD, which documents the organization, functions, policies, decisions, procedures, operations, or other activities of the HCBDD.

(2) Records regarding individuals who are eligible for services from or who are served by the HCBDD are not public records and will be disclosed only in accordance with state and federal law.

(3) It is the policy of the HCBDD that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying.

(C) PUBLIC RECORD REQUESTS

(1) Requests must identify the records requested with sufficient clarity to allow the HCBDD to identify, retrieve, and review the record. If there is not sufficient clarity, the HCBDD may deny the request but will provide the requester an opportunity to revise the

request by informing the requester of the manner in which records are maintained by the HCBDD and accessed in the regular day to day operations of the HCBDD.

(2) The HCBDD shall permit the person requesting a public record to choose the medium the public record is copied on as long as the HCBDD determines it can reasonably be duplicated as an integral part of the normal operations of the HCBDD.

(3) The HCBDD may ask the requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested. However, HCBDD may do so only after disclosing to the requester that a written request is not mandatory, that the requester may decline to reveal the requester's identity or the intended use and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the HCBDD to identify, locate, or deliver the public records sought by the requester.

(4) Public records will be available for inspection during regular business hours, with the exception of published holidays. Public records will promptly be made available for inspection and within a reasonable period of time. "Prompt" and "reasonable" take into account, among other things, the volume of records requested, the location where the records are stored, and the necessity for any legal review of the records requested.

(5) The Ohio Revised Code contains certain exemptions from disclosure. With respect to each request, the HCBDD will determine whether an exemption applies to prohibit disclosure or permit non-disclosure of the requested records. If a record contains information that does not constitute a public record, such information will be redacted. The HCBDD will make the redaction plainly visible or notify the requester of the redaction. When a redaction is required by law, it is not considered a denial of a request. A denial of public records in response to a valid request will be accompanied with an explanation, including the legal authority. If the request is in writing, the explanation must also be in writing.

(D) COST OF PUBLIC RECORDS

(1) Requesters of public records will be charged only the actual cost of making copies. Charges will be as follows:

(a) Paper copies are $.05 per page;

(b) Certified paper copy are $1.00 per page;

(c) Downloaded computer files to a compact disc are $1.00 per disc; and

(d) E-mailed copies are no charge.

(2) All records that must be accessed through the Information Technology contractor, will be assessed a fee by the contractor. Requesters may ask that documents be mailed to them and will be charged the actual cost of the postage and mailing supplies.

(3) Notwithstanding the existence of this policy, the HCBDD hereby informs the public that it shall comply with the requirements of the Ohio Public Records Act, including, but not limited to, Section 149.43 of the Ohio Revised Code, and that the provisions of the Ohio Public Records Act, and any amendments thereto, supersede, and take precedence over this policy. The HCBDD retains the right to amend this policy at any time in accordance with the Ohio Public Records Act.