

**ALLEN COUNTY BOARD OF MENTAL RETARDATION
AND DEVELOPMENTAL DISABILITIES**

POLICY 1.46

PUBLIC RECORDS

AUTHORITY: **Section 109.43 Ohio Revised Code**
 Section 149.011 Ohio Revised Code
 Section 149.43 Ohio Revised Code

1.46.1 Purpose

The Allen County Board of Mental Retardation and Developmental Disabilities, hereinafter called the Board, in accordance with the Ohio Revised Code, is adopting this Public Records Policy to ensure accountability of the Board by exposing the Board's activity to public scrutiny to allow the public to monitor the conduct of the Board.

1.46.2 Public Records

The Board, in accordance with the Ohio Revised Code, defines public records as including the following: any document – 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 Board that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Board. There are a number of exemptions to the definition of “public records” within state and federal law, including but not limited to the specific exemptions within the Public Records Act itself. Records of the Board are further identified in Policy 1.45, Records Format, Retention Schedule (RC-2), and Document Destruction.

1.46.3 Record Requests

- 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. If it is not clear what records are being sought, the records custodian will inform the requester of the manner in which records are maintained and accessed in the ordinary course of business and allow the requester to revise the request.

- 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 are available for inspection during regular business hours. Public records shall be made available for inspection promptly. Copies of public records shall 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.
- D. Any denial of public records requested shall include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions shall be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

1.46.4 Costs for Public Records

Those seeking a paper copy of public records will be charged only the actual cost of making copies.

- A. The charge for paper copies is 5 cents per page.
- B. The charge for downloaded computer files to a compact disc is \$1 per disc.
- C. There is no charge for documents e-mailed.
- D. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies, and can be required to pay that amount in advance.

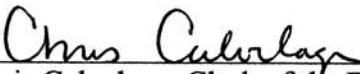
1.46.5 Records Custodian

For purposes of compliance with public records requests and training requirements of Sections 109.43 and 149.43 of the Ohio Revised Code, the Board designates the Superintendent/designee.

1.46.6 Availability of Policy

Each records custodian shall have received a copy of this policy and shall sign a receipt of said policy. This policy shall be easily accessible to the general public. Each building shall display a poster which generally describes this policy.

Emergency Adopted: September 26, 2007


Chris Calvelage, Clerk of the Board

9-26-07
Date