

105 BOARD OF DIRECTORS INTRODUCTION TO PUBLIC RECORDS

It is the policy of the Board of Directors that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Board of Directors to strictly adhere to the State of Ohio's Public Records Act. All exemptions to openness 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. If the request for public records is in writing, the explanation of denial must also be in writing.

PUBLIC RECORDS

Section 1. Definition

The Board of Directors, in accordance with the Ohio Revised Code, defines 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 of Directors that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Board of Directors. All records of the Board of Directors are public unless they are specifically exempt from disclosure under the Ohio Revised Code or federal law.

Section 1.1 Organization and Maintenance

It is the policy of the Board of Directors that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

PUBLIC RECORDS REQUESTS & RESPONSES

Section 2. Evaluation of a Public Records Request

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1 Identification of Public Records Requested

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 Board of Directors to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the Board of Directors keeps its records.

COSTS FOR OBTAINING COPIES OF PUBLIC RECORDS

Section 3. Charges for Copies and Postage

Those seeking public records will be charged only the actual cost of making copies, as follows:

Section 3.1 The charge for paper copies is 10 cents per page.

Section 3.2 The charge for downloaded computer files to a compact disc is \$3 per disc.

Section 3.3 There is no charge for documents e-mailed.

Section 3.4 Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

E-MAIL AS PUBLIC RECORDS

Section 4. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

Section 5. Legal and Non-Legal Consequences

The Board of Directors recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, failure to comply may also result in a court ordering the Board of Directors to comply with the law and to pay the requester's attorney's fees and damages.