

**ATHENS-HOCKING-VINTON 317 BOARD****PUBLIC RECORDS REQUESTS****Policy R2****Current**

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 Forms:

**Supersedes**

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**PURPOSE.**

To establish a policy addressing the availability of public records for inspection and copying.

**POLICY.**

A “record” is defined to include the following: A document in any format – paper, electronic (including, but not limited to, business e-mail) – that is created, received by, or comes under the jurisdiction of the Athens-Hocking-Vinton 317 Board that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Athens-Hocking-Vinton 317 Board.

A “public record” is a “record” that is being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

**1. Applicable Process and Timeframes**

- A. Public records will be available for inspection during regular business hours.
- B. 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; the necessity for any legal review and redaction; and other facts and circumstances of the records requested.
- C. Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape.
- D. Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.
- E. All requests for public records will be directed to the Deputy Director. A written request is not required, but will be encouraged. No specific language is required, however the requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve

and review the records. A request for records form is available upon request.

- F. In processing the request, the Board does not have an obligation to create new records or perform a search or research for information in the Board's records. An electronic record is deemed to exist if the computer is already programmed to produce the record using the 317 Board's standard use of sorting filtering or querying features.

## **2. Denial and Redaction of Records.**

- A. If the requester makes an ambiguous or overly broad request or has difficulty in making a request such as cannot reasonably identify what public records are being requested, the request may be denied, the requester will be given an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the Board.
- B. If the Board withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation must also be in writing. If some portions of a record are public and other portions are exempt, the exempt portions may be redacted and the remainder will be released. When making public records available for public inspection or copying, the Board shall notify the requestor of any redaction or make the redaction plainly visible.

## **3. Copying and Mailing Costs.**

- A. Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is five (5) cents per page. Duplication on other forms of media will be based upon actual current purchase price. A requester may be required to pay in advance for costs involved in providing the copy. If a requester asks that documents be delivered to them, requester may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery.

## **4. Managing Records**

- A. Current and obsolete Records Retention schedules for the Board are retained at the Board office: 7990 Dairy Lane, Athens, OH 45701.
- B. This policy supersedes any previous policies and will remain in effect until cancelled or superseded.

## **RESPONSIBILITY.**

**Deputy Director:** The Deputy Director is responsible for the communication and the implementation of this policy.

### **Also See:**

Procedure R2: Public Records Requests and Procedure R1: Public Records Retention