

# THE PUBLIC RECORDS POLICY

OF THE BUTLER COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

The public records policy of the Butler County Board of Developmental Disabilities' (BCBDD) guides employees in making available the materials to which the public is entitled by law. The policy, summarized below, appears in full in the BCBDD's Policies and Procedures Manual. Also, a copy of the most recent edition of the Ohio Sunshine Laws: An Open Government Resource Manual, which explains open records laws, is available free at [www.OhioAttorneyGeneral.gov/YellowBook](http://www.OhioAttorneyGeneral.gov/YellowBook).

## DEFINING AND ORGANIZING PUBLIC RECORDS

Records that document the business operations of the BCBDD are public, unless they are exempt by law from disclosure. Public records laws apply to records in any format, including those that exist on paper, electronically (for example, email), or on any other media. Enrollee records and other medical records are not considered public record.

## MAKING RECORDS ACCESSIBLE

Public records are available for inspection during regular business hours at the BCBDD's Administrative Office, 282 N. Fair Ave., Hamilton, 45011. The primary contact for these requests will be Data Management Coordinator at 513-785-2872 and Community Services Director at 513-785-2875 or email the request to [RecordsRequests@butlerdd.org](mailto:RecordsRequests@butlerdd.org). Records must be provided promptly for inspection, and copies must be made available within a reasonable period of time.

## PROCESSING REQUESTS

No "official" language is required to make a request for public records, and the request does not need to be in writing. The person making the request does not have to provide his or her identity, nor must he or she indicate how the records will be used. In fact, the office does not request such information. However, the person must identify the requested records with sufficient clarity to allow the office to retrieve them. If a request is ambiguous or overly broad, the office may deny the request but needs to contact the requester for clarification. The office should assist the person in revising the request by explaining how the office's records are organized and accessed.

## HANDLING ELECTRONIC RECORDS

Electronic records are to be treated in the same way as records in other formats. Email, text messages, and instant messages, for example, may be public records if their content documents the business of the office. Records transmitted to or from private email accounts to conduct public business are subject to disclosure, and all employees or representatives of the BCBDD's Office are required to retain them in accordance with applicable records retention schedules.

## DEALING WITH DENIALS OR REDACTIONS

If the BCBDD withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority. If portions of a record are public and other portions are exempt, the exempt portions may be redacted while the rest are released. When making public records available for public inspection or copying, the office shall notify the requester of any redaction or make the redaction plainly visible.

## DETERMINING COPYING AND MAILING CHARGES

There is no charge to inspect public records. Copies of records are available at actual cost, excluding labor. The charge for paper copies is 10 cents per page. The charge for electronic files downloaded to a compact disc is \$1 per disc. The actual cost of postage, mailing supplies, or other delivery costs may be charged. There is no charge for emailed documents. It is permissible to require payment of all costs in advance of delivery. The requester may choose whether to have the record copied on paper, on the same medium in which the public record is kept, or on any other medium upon which the BCBDD determines that the record can reasonably be duplicated as an integral part of the BCBDD's normal operations.

## MANAGING RECORDS

The BCBDD has a Public Records Policy and a Records Retention Schedule, which are available at [www.butlerdd.org](http://www.butlerdd.org)