



Mahoning County Children Services

Public Records Policy

(As of 9/11/07)

Introduction:

This policy has been developed in compliance with House Bill 9, as required by the State's Public Records Law.

Section 1: Public Records:

This office, 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 a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. *Case records of Mahoning County Children Services are confidential under 5153.17 and 2151.42.1 and are not considered public records.*

Section 1.1:

It is the policy of this office that, as required by Ohio law, public records will be organized and maintained so that they are readily available for inspection and copying.

Section 2: Record Requests:

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

Section 2.1:

Although no specific language is required to make a request, the requester must identify the records requested with sufficient clarity to allow this office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian shall contact the requester for clarification and to provide assistance to the requester in revising the request by informing the requester of the manner in which the office keeps its records.

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Section 2.2:

The requester is not required 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. However, this information may be requested when it would enhance the ability to comply with the request.

Section 2.3:

Public records are to be available for inspection during regular business hours (8:30 a.m. – 4:30 p.m., Monday through Friday), with the exception of published holidays. Public records will be made available for inspection promptly. Copies of public records will be made available within a reasonable period of time, depending on 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.

Section 2.4:

Each request shall be evaluated for an estimated length of time required to gather the records. Routine requests for records will be satisfied immediately if possible. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these will be made as quickly as possible. If more copies than 20 copies are requested, an appointment will be made with the requester as to when the copies or computer files can be picked up.

All requests for public records will either be satisfied or be acknowledged in writing within three (3) business days following the office's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

Section 2.4(a): An estimated number of business days it will take to satisfy the request.

Section 2.4(b): An estimated cost if copies are requested.

Section 2.4(c): Any items within the request that may be exempt from disclosure. (*Case records of Mahoning County Children Services are confidential under 5153.17 and 2151.42.1 and are not considered public records.*)

Section 2.5:

Any denial of public records requested will include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions will be redacted and the rest released. If there are redactions, each redaction will be accompanied by a supporting explanation, including legal authority.

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Section 3: Costs for Public Records:

Those seeking public records will be charged in advance for the actual cost of making copies.

Section 3.1: The charge for paper copies is 5 cents per page.

Section 3.2: The charge for downloaded computer files to a compact disc is \$1 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.

Section 4: E-Mail:

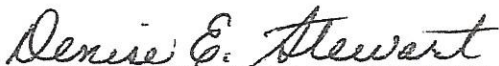
Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office.

Section 4.1: Records in private e-mail accounts used to conduct public business are subject to disclosure.

Section 5: Failure to Respond to a Public Records Request:

Mahoning County Children Services recognizes the legal and non-legal consequences of failure to properly respond to a public records request. Failure to comply with a request may result in a court ordering the agency to comply with the law and to pay the requester attorney's fees and damages.

This Public Records Policy shall remain in effect until such time that it is revised or rescinded in writing by the Executive Director.



Denise E. Stewart
Executive Director

Date: September 11, 2007

This Public Records Policy has been reviewed and approved by the Mahoning County Children Services Board.



Anne Cobbin
Board Chair

Date: September 11, 2007