DELAWARE COUNTY TRANSIT BOARD

POLICY

Policy Name	Number	Effective Date	Last Revision Date
Public Records Request Policy	25-02-06	9/2007	2/2025

NOTE: *The Delaware County Transit Board (DCTB) is the governing body of Delaware County's Public Transit System established by the Delaware County Commissioners under the authority of R.C. §§ 306.01 and 306.02. Delaware County Transit (DCT) is the common name given to the public transit system. This policy is established and set forth under the authority of the Delaware County Transit Board. DCT and DCTB may be used interchangeably in this policy or used separately to distinguish responsibilities.*

PURPOSE

Records maintained by DCTB and the ability to access them are a means to provide trust between the public and DCTB. To foster, maintain, and continue to build such trust, DCTB, in accordance with R.C. § 149.43(E)(2), adopts this Public Records Policy.

DISTRIBUTION

All DCTB employees, passengers, and the general public.

DEFINING PUBLIC RECORDS

"Records" includes any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in section 1306.01 of the Revised Code, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office. (R.C. § 149.01 l(G)).

"Public Record" means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Revised Code. "Public record" does not mean any of the records listed in R.C. § 149.43(A)(l)(a) through (ss). (R.C. § 149.43(A)(l)).

RESPONSE TIMEFRAME

Public records are to be available for inspection during regular business hours. Public records will be made available for inspection promptly. Copies of public records will 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.

If a request for public records cannot be filled within three business days, then, if feasible, the delay will be acknowledged in writing to the Requester.

HANDLING REQUESTS

No specific language is required to make a request for public records. However, the Requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records.

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(s). The law does permit the DCTB to ask for a written request, the Requester's identity, and/or the intended use of the information requested, but only if (1) a written request or disclosure of identity or intended use would benefit the Requester by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; and (2) the Requester is first told that a written request is not required and that the Requester may decline to reveal the Requester's identity or intended use.

In processing the request, the DCTB does not have an obligation to create new records or perform a search or research for information in the office's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through DCTB's standard use of sorting, filtering, or querying features.

In processing a request for inspection of a public record, a DCTB employee may accompany the Requester during inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Attorney General's website (www.ohioattorneygeneral.gov/YellowBook) for the purpose of keeping employees of the office and the public educated as to the office's obligations under Ohio's Public Records Act, Ohio's Open Meetings Act, records retention laws, and Personal Information Systems Act.

ELECTRONIC RECORDS

Electronic records in any form, which document the functions of DCTB, will be treated in the same fashion as records in other formats, such as paper or audiotape. All employees or representatives of DCTB are required to retain electronic records, which document the functions of DCTB, in accordance with applicable records retention schedules.

FEES AND COSTS

Those seeking public records may be charged only the actual cost of making copies, not labor. The costs below reflect actual cost.

Media Type	Unit	Cost Per Unit
Letter or Legal Sized Paper Copy (Single Side)	Page	$0.10
Letter or Legal Sized Paper Copy (Double Side)	Two-Sided Page	$0.10
Certified Paper Copy	Page	$2.10
Thumb Drive	Thumb Drive	Actual Cost of Thumb Drive

Email Documents	Various Formats	No cost if electronically provided or, if redaction copies are required or copies on other media are requested/required, see cost per unit above
Any Other Media	Various Formats	Actual Cost of Media

A. If applicable, advance payment shall be required of any Requester before any copies are prepared.

B. If a requested media type is not listed in the fee schedule above, DCTB shall make effort to obtain that media and charge the actual cost of the material.

C. DCTB will not accept blank media supplied by the Requester.

D. DCTB will charge the actual costs of postage and mailing supplies when the Requester requires the public records be transmitted via the United States Postal Service or any type of priority mail service.

DENIAL AND REDACTION OF RECORDS

If the Requester makes an ambiguous or overly broad request or has difficulty in making a request such that DCTB cannot reasonably identify what public records are being requested, the request may be denied, but the office must then provide the Requester an opportunity to revise the request by informing the Requester of the manner in which records are maintained and accessed by DCTB.

If DCTB withholds, redacts, or otherwise denies requested records, it will provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation will also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the rest will be released. When making public records available for public inspection or copying, DCTB shall notify the Requester of any redaction or make the redaction plainly visible.

MANAGING RECORDS

DCTB'S public records are subject to a records retention schedule. DCTB's current schedule is available at 119 Henderson Court Delaware, Ohio, a location readily available to the public as required by R.C. § 149.43 (B)(2).

FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

DCTB 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, the failure to comply with a request may result in a court ordering DCTB to comply with the law and to pay the requester's attorney's fees and damages.

TRAINING AND EDUCATION

DCTB continues to update and address all education, training, disclosure, and policy requirements mandated by R.C. §§ 109.43 and 149. 43(E)(1)(2).

SEVERABILITY

If any provision of this policy is found to be contrary to any federal or state law and regulation following adoption, only the provision contrary to existing laws shall be rendered null and void. The remainder of the policy shall remain in full force and effect as long as it is not in violation of any existing laws or regulations.