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## **Public Records**

"Public record" is defined as any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in statute as having been created, generated, sent, communicated, received, or stored by electronic means, created or received by or coming under the jurisdiction of the Board or its employees or agents, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of OHVA. "Public records" do not include medical records, privileged documents, trial preparation records, confidential law enforcement investigatory records, records the release of which is prohibited by State or Federal law, or any other legal exceptions.

## **Student Records**

Educational records pertaining to individual students and other confidential materials are not public documents and are not released. Only that information deemed "directory information" may be released from an individual student's file. By law, OHVA is allowed to limit directory information and therefore, OHVA limits directory information to student's name, city of residence, participation in officially recognized activities, awards received and graduation date. If parents, legal guardians, or students aged 18 or older wish to prevent the release of directory information, they should complete a privacy request form and return it to their Principal. Student directory information is not released when parents have affirmatively withdrawn their consent to release in writing. Student records that consist of "personally identifiable information" are exempt from disclosure.

## **Inspecting or Obtaining Records**

The public records of OHVA shall be available during regular business hours. Requests for public records shall be directed to the Head of School for proper handling. Upon request, a person may receive copies of public records, at cost if warranted, within a reasonable period of time. OHVA's public records shall be promptly prepared and made available for inspection.

The requestor must identify the record(s) requested with sufficient clarity to allow OHVA to identify, retrieve, and review the record(s). The requestor shall not be required to provide his/her identity or the intended use of the requested public record(s), unless the request is for directory information.

All requests for public records shall be satisfied or acknowledged by the Head of School promptly following the receipt of the request. If the request for records was in writing, the acknowledgement and response by the Head of School shall also be in writing.

The Head of School is authorized to grant or refuse access to the records of OHVA in accordance with the law. Any denial, in whole or in part, of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the remainder released. If there are redactions, each redaction must be accompanied by an explanation, including legal authority. Any denial of access to public records should be reviewed with OHVA's legal counsel.

A person may purchase copies of OHVA's public records upon payment of the actual cost of duplication. A person who chooses to purchase a copy of a public record may request to have the record duplicated on paper, on the same medium on which OHVA keeps the record, or on any other medium in which the custodian of records determines that said record reasonably can be

duplicated under normal operations. A person who chooses to purchase a copy of a public record may also choose to have that record sent to him/her by United States mail or by other means of delivery or transmission provided the person making the request pays in advance for the record and the cost for postage and mailing supplies.

The number of records requested by a person that OHVA will transmit by U.S. mail shall be limited to ten (10) per month, unless the person certifies, in writing to OHVA, that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. "Commercial" shall be narrowly defined and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of OHVA, or nonprofit educational research.

### **E-mail Records**

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of OHVA. E-mail shall be addressed in the same manner as records in other formats and shall follow the same retention schedule.

Records in private e-mail accounts used to conduct public business may be subject to disclosure. All employees or representatives of OHVA, including Board members, shall retain e-mails that relate to public business as described in paragraph one of this policy and shall copy them to a separate folder marked OHVA-Public. These records shall be filed appropriately, retained in accordance with the established schedules, and made available for inspection and duplication when requested.

The Head of School shall develop an appropriate procedure and provide guidance to all OHVA employees and administrators in responding to public records requests. The Head of School shall post and distribute this policy in accordance with the law.

### **Board Access to School Records**

A Board member may have access to OHVA personnel and student records subject to applicable laws.

Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions on such matters as appointments, assignments, promotions, demotions, remuneration, discipline and dismissal, or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.