



PUBLIC RECORDS POLICY (2019-01)

All records of the Vision Professionals Board office are public, unless they are specifically exempt from disclosure under the Ohio Revised Code. "Record" includes any document or device, whether paper, electronic, or other format, which is created or received under the jurisdiction of the office and which documents the organization, function, policies, decisions, procedures, operations, or other activities of the office.

Records Requests

No specific language is required to make a request, but the requester must identify records with enough clarity to allow the office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian should ask the requester for clarification, and assist the requester in revising the request by informing them of the manner, in which the office maintains and accesses its records. The requester need not put a request in writing or provide the identity of the intended use of the requested records. It is the office's general policy that this information should not be requested.

Notice of Receipt

All requests for public records will either be satisfied or be acknowledged in writing by a board staff person within a reasonable time period. If a request will not be satisfied within a reasonable time period, a notice of receipt will be sent to the requester, including the following information:

- Request for clarification (if necessary)
- Estimated cost if copies are requested (see below)

Production of Requested Records

Inspection of public records must be made available promptly. Copies of public records must be made within a reasonable time period. "Promptly" and "reasonable period of time" will consider the volume of records requested, where the records are stored, time for any legal review, and availability of personnel to produce and/or redact the records. Records prepared for inspection may be viewed during regular business hours. The office will provide copies to public records on paper, on the medium in which they are kept, or on any other medium the office determines it reasonably can duplicate the records as an integral part of normal operations. If portions of a record are public and portions are exempt, the exempt portions will be redacted, and the rest released. Denial of all or part of any public record requested shall include an explanation for the denial, including legal authority.

Costs for Public Records

There is no charge for viewing (inspecting) public records. Copies of public records may be charged the following rates (actual costs):

- Paper copies - \$0.07 cents per page.
- Downloaded computer files on a compact disc - \$1 per disc.
- Electronic records e-mailed to the requester - no charge.
- Requesters may have records mailed to them by paying the office the actual cost of postage and mailing supplies.

E-mail Records

If the content of an e-mail or other electronic communication meets the definition of a public record (see "Record" above), it is subject to disclosure, whether it is in a public, or private, e-mail account. Requests for e-mail records will be treated in the same fashion as records in other formats.

Access to Confidential Personal Information

It is the policy of the board to restrict access to non-public personal information to only those employees who need access to perform a specific legitimate governmental objective on behalf of the board. Legitimate governmental objectives of the board include those functions set forth in sections 4725 of the Ohio Revised Code and in Chapters 4725 of the Administrative Code including, but not limited to, investigation of information related to the above-referenced sections of the Revised Code or rules adopted by the board; adjudication of disciplinary actions; monitoring the compliance of individuals under consent agreement; processing initial applications for, or renewal of licensure; survey, review and/or approval of continuing education programs via continuing education audits.

Failure to Respond to a Public Records Request

If a person believes the office has failed to comply with the Ohio Public Records Act, a court petition in mandamus may be filed: 1) to compel the office to comply with the request, 2) to seek payment of statutory damages, 3) for court costs, and 4) to have the office pay the requester's attorney fees.

The Vision Professional Board's Public Records Policy and Access to Confidential Personal Information Policy, is available on the website or by calling the board's office to request a copy.

Effective: May 16, 2019