

Scope of HCBDD Program Policies

If any article or section of this Policy Manual or any amendments thereto shall be held invalid by operation of law or by a tribunal of competent jurisdiction, or compliance with or enforcement of any article or section of this Policy Manual shall be restrained by such tribunal, the remainder of this manual and amendments thereto shall not be affected and shall remain in full force and effect.

POLICY # 1.1 - POLICY ESTABLISHMENT / SCOPE / AMENDMENTS

Purpose: Authority for establishing policies - This policy manual is adopted under the Board of Developmental Disabilities, under authority granted it by Statutes of the State of Ohio, which enumerate among its duties; The Board shall adopt rules for the conduct of its business and a record shall be kept of Board proceedings, which shall be open for public inspection.

A. SCOPE OF COVERAGE

1. These policies apply to all Board Members, Students, Enrollees, Service Providers, Parents and Staff.

B. POLICY AMENDMENTS

1. As conditions warrant, these policies may be amended, revised or rescinded by act of the Huron County Board of Developmental Disabilities. Such revisions, amendments or deletions will be posted in each building, to serve as notice, for those affected.

EFFECTIVE DATE: 7/21/86

REVISIONS: 1/97, 9/16/03,4/05, 1/19/10, 2/15/11, 10/15/13, 10/22/15, 11/15/16

**POLICY # 1.2 - PHILOSOPHICAL STATEMENT
MISSION, VISION VALUES**

Purpose: Development and implementation of the organization's mission, vision and values and departmental position statements.

**HURON COUNTY BOARD OF
DEVELOPMENTAL DISABILITIES MISSION STATEMENT**

To inspire people with developmental disabilities to contribute to the communities that are important to them, and to achieve the life they want.

**HURON COUNTY BOARD OF
DEVELOPMENTAL DISABILITIES VISION STATEMENT**

The Huron County Board of Developmental Disabilities will be recognized as the leader, coordinator and facilitator of services to all eligible individuals.

ADULT PROGRAMS

Community Integration

This department's purpose is to assist individuals to engage in recreational activities within the community. Activities typically occur after hours and weekends. The department strives to ensure that individuals have similar recreational and social opportunities as their neighbors such as team sports, leisure activities, exercise, community events and personal interests.

1. We encourage people to be a part of and contribute to their communities.
2. Make friends and community connections.

Employment First

The State of Ohio has a policy established in section 5123.022 of the Ohio Revised Code, that employment services for individuals with developmental disabilities be directed at community employment and the individuals with developmental disabilities are presumed capable of community employment.

Community Connections

The purpose of this department is to connect individuals with others in their communities in order for them to:

1. Be a part of and contribute to their communities.
2. Make friends and sustain relationships with people who are important to them.
3. Develop self-advocacy skills and keep the service and support system focused on the lifestyle outcomes that are important to them.

CHILDREN SERVICES POSITION STATEMENT

The HCBDD Children Services provides educational opportunities through collaboration with area school districts to eligible children. The purpose of Children Services is to teach and support children and their families to build competence in ways that enable them to be contributing members of their communities. To that end HCBDD operates the following programs:

Early Childhood Services

Early Childhood Services provides services to children birth through age two who have a delay in one or more areas of development. This program offers support to families and children in the area of socialization, self-help, cognition, communication, fine motor and gross motor skills.

Help Me Grow

Help Me Grow is Ohio's evidenced-based parent support program that encourages early prenatal and well-baby care, as well as parenting education to promote the comprehensive health and development of children. **These services are delivered through HCBDD under the Ohio Department of Health's Early Childhood Home Visiting Services.**

The Help Me Grow program is designed to ensure Ohio's pregnant women have a healthy birth and Ohio's children and families receive the resources to warrant a healthy productive start in life. An integral part of Ohio's prenatal to age three system of supports, the services offered by Help Me Grow equip parents/caregivers with the means to help their child(ren) acquire the early building blocks necessary for long term success. These initial achievements last a lifetime, as research strongly suggests that a child's success is significantly determined by the quality of nurturing and attachment in the first three years of life.

Help Me Grow believes all young children deserve the same opportunities to realize their full potential in life, regardless of economic geographic, and demographic considerations. The parenting education and child development resources provided to families allows them to maximize this critical period of development in their child's life, providing a foundation for lasting success.

School Age

School Age program serves children from age 6 through 21 who have been placed at Christie Lane School through development of an Individual Education Plan as developed with the local school district. The program focus is communication, self-help, social/emotional development, physical development, academic skills, community awareness, daily living skills, vocational skills, leisure time and recreational activities.

SERVICE AND SUPPORT ADMINISTRATION POSITION STATEMENT

The Mission of the Service and Support Administration Department is to listen to people to help them identify what kind of life they want, to provide independent information about lifestyle options, and to ensure that services are effectively coordinated and provided in order to help them have the kind of life they want.

Nursing

To provide and coordinate the training and delivery of safe, compassionate, and comprehensive care to the individuals and their families with complex healthcare needs. To help develop, identify, implement, and improve health education materials and other programs that encourage wellness.

EFFECTIVE DATE: 7/21/86

REVISIONS: 12/87, 9/93, 3/96, 9/16/03, 4/05, 6/20/06, 1/19/10, 2/15/11, 2/21/12, 10/15/13, 10/22/15, 11/15/16, 6/18/19

POLICY # 1.3 - STRATEGIC PLAN

Purpose: The organization shall develop and adopt by resolution a strategic plan that meets the requirements of sections 5126.04 and 5126.054 of the Ohio Revised Code.

The Huron County Board of DD (HCBDD) assures DODD that the board is in full compliance with all sections specified in Ohio Administrative Rule 5123-4-01 Administration and operation of county boards of developmental disabilities.

The Board through adoption of this policy herein authorizes and directs the Superintendent or his/her designee to take any and all actions, including the development and promulgation of administrative procedures if appropriate, to carry out this policy and the assurances contained herein.

EFFECTIVE DATE: 10/22/15

REVISION: 11/15/16, 6/18/19, 6/21/22

POLICY # 1.4 - BOARD COMMITMENT / PROGRAM PARAMETERS

Purpose: Christie Lane School, Children Services, Community Integration Services, Transportation and Service and Support Administration operate under the auspices of the Huron County Board of Developmental Disabilities. Members of the Board and staff at HCBDD are united in their commitment to provide quality services/supports to the eligible Huron County residents who have developmental disabilities served through HCBDD. Communication and cooperation between the Board and the staff are essential in promoting unified focus toward this end, an ongoing exchange of ideas is encouraged to foster professional growth and continually upgrade program services.

The execution of Board policy and the administration of the program shall be the responsibility of the Superintendent and the administrative staff. There shall be continuous effort to develop clear, precise administrative and operational procedures and to provide means by which the Board can direct the operation of the program in accordance with its legal obligations and prerogatives.

A. BOARD COMMITMENT

1. The Board makes the following commitments:
 - a. To attract and retain the most qualified and best trained staff possible through programs of recruitment, supervision and continuing in-service training and staff development opportunities;
 - b. To develop and implement a comprehensive and flexible program to achieve established goals and to provide the facilities, materials and equipment needed to enhance the effectiveness of the program;
 - c. To continuously evaluate the effectiveness of the program and regularly report the findings;
 - d. To adopt new and different approaches when it is determined that they will contribute more effectively to the fulfillment of the goals;
 - e. To encourage a continuing dialogue with the entire community, making every effort to communicate needs and achievements, and to be responsive to the needs and aspirations of the community; and,
 - f. To utilize facilities and staff, in cooperation with other agencies, in the development of the overall program that will meet the continuing needs of eligible Huron County citizens served by HCBDD.

B. PROGRAM PARAMETERS

1. The Huron County Board of Developmental Disabilities program includes but is not limited to the following:

- a. Employment First, Job Development, Community Connections, Self-Advocacy, Community Integration and Health and Wellness;
- b. Children Services such as Help Me Grow Home Visiting, Early Childhood Services/Early Intervention and the Christie Lane School program;
- c. Transportation Services;
- d. Service and Support Administration;
- e. Family Support Services; and
- f. Supported Living/Residential Services.

EFFECTIVE DATE: 7/21/86

REVISIONS: 1/97, 9/16/03, 4/05, 1/19/10, 2/15/11, 10/15/13, 10/22/15,
11/15/16, 6/18/19

POLICY # 1.5 - TABLE OF ORGANIZATION AND CHAIN OF COMMAND

Purpose: In the event of the absence of the Superintendent, when emergency decisions must be made, the Table of Organization and Chain of Command is available and in effect.

A. CHAIN OF COMMAND

1. In the absence of the Superintendent, the Chain of Command is in effect:

Director of Finance and Operations

B. TABLE OF ORGANIZATION

1. The following attached page is the Table of Organization, which delineates all lines of authority and respective responsibility:

EFFECTIVE DATE: 7/21/86

REVISIONS: 12/87, 1/96, 1/97, 2/00, 11/00, 9/02, 9/16/03, 7/20/04, 4/05, 3/21/06, 2/19/08, 4/21/09, 1/19/10, 2/15/11, 2/21/12, 12/18/12, 6/18/13, 10/15/13, 2/18/14, 6/17/14, 10/21/14, 10/22/15, 11/15/16

POLICY #1.6 - ETHICS

Purpose: The purpose of this policy is to establish an Ethics Council to review all direct services contracts in order to ensure that membership of a person on, or employment of a person by, the Board does not affect the eligibility of any individual for Board services.

The Huron County Board of DD (HCBDD) assures DODD that the Board is in full compliance with all sections specified in Ohio Revised Code (ORC) 5126.03 Direct services contract definitions, 5126.031 Appointing ethics council, 5126.032 Reviewing direct services contracts and 5126.033 Direct services contract requirements.

The Board through adoption of this policy herein authorizes and directs the Superintendent or his/her designee to take any and all actions, including the development and promulgation of administrative procedures if appropriate, to carry out this policy and the assurances contained herein.

EFFECTIVE DATE: 4/17/01

REVISIONS: 9/02, 9/16/03, 4/05, 10/21/08, 1/19/10, 2/15/11, 10/15/13, 10/22/15, 11/15/16

REFERENCE: ORC 5126.03, ORC 5126.031, ORC 5126.032, ORC 5126.033

**POLICY #1.7 - CODE OF ETHICS
WASTE, FRAUD AND ABUSE OF OTHER WRONGDOING**

- A.** The Huron County Board of DD is a public agency and as such is responsible to the community and the individuals served by the program. All employees are expected to maintain the highest possible ethical and moral standards and to perform their duties within established guidelines. Such guidelines are derived from various statutes, Department of Developmental Disabilities rules, certification and licensing standards, and other rules and regulations as may be set forth by the Huron County Board of DD. The responsibility for protecting and preserving individual participants' rights involves both a moral and legal obligation.
- B.** Conduct that interferes with normal program operations, brings discredit to the Huron County Board of DD, is illegal or is offensive to the public, program participants or fellow employees will not be tolerated. Such conduct includes, but is not limited to:
1. engaging in any transaction, business or any other interest which conflicts with the proper discharge of official duties;
 2. disclosing confidential information, without proper authorization, regarding program participants and staff;
 3. use of confidential information or influence of position to advance personal, financial, or other private interests;
 4. acceptance of any gift, in the form of service, loan, item or promise from any person, firm or organization, which maintains an interest in any business dealings with the Board;
 5. acceptance of any gift, in the form of service, loan, item or promise from any person, firm or organization that may tend to influence an employee in the proper discharge of official duties; and
 6. engaging in any matter which represents a conflict of interest with the Huron County Board of DD.
 7. Improper communication or contact with an individual served by the County Board.
- C.** Employees should report any apparent violation of this policy to the Superintendent. If the Superintendent finds upon further investigation that such action is warranted, the Superintendent will report the matter to the Board and pursue corrective action.
- D.** Employees must comply with all confidentiality laws and rules related to students/clients/enrollees. An employee who has a question concerning these requirements must consult with his or her supervisor.

- E.** The Huron County Board of DD (HCBDD) assures DODD that the board is in full compliance with all sections specified in Ohio Administrative Code (OAC) 5123:2-2-02 Background investigations for employment.

The board through adoption of this policy herein authorizes and directs the Superintendent or his/her designee to take any and all actions, including the development and promulgation of administrative procedures if appropriate, to carry out this policy and the assurances contained herein.

An employee must submit a statement to the responsible entity with the applicant's signature attesting that he or she has not been convicted of or pleaded guilty to a qualifying offense. An applicant or employee shall disclose to the responsible entity a conviction for any offense that has been sealed.

An employee must sign an agreement under which the applicant agrees to notify the responsible entity within fourteen calendar days if, while employed by the responsible entity, the applicant is formally charged with, is convicted of, or pleads guilty to a disqualifying offense. The agreement shall provide that failure to make the notification may result in termination of the applicant's employment.

- F.** We affirm our commitment to the following Code of Ethics based on the values of the Huron County Board of DD. As Board Members, Employees or Volunteers, we pledge to follow both the letter and the spirit of the following Code:

CODE OF ETHICS FOR BOARD MEMBERS, EMPLOYEES OR VOLUNTEERS:

1. We will conduct ourselves and operate the Huron County Board in a manner that upholds our integrity, and will merit the trust and support of the public.
2. We will uphold all applicable laws and regulations, going beyond the letter of the law to protect and/or enhance the Board's ability to accomplish its mission.
3. We will treat others with respect, doing for and to others what we would have done for and to us in a similar circumstance.
4. We will be responsible stewards of the Board's resources.
5. We will take no actions that could benefit us personally at the unwarranted expense of the Board, avoiding even the appearance of a conflict of interest. We will exercise prudence in expenses we charge to the Board.
6. We will carefully consider the public perception of our personal and professional actions, and the effect our actions could have, positively or negatively, on the Board's reputation in our communities and elsewhere.
7. We will strive for personal and professional growth to improve our effectiveness as board members, employees or volunteers of the Board.

BUSINESS PRACTICES:

1. We agree to engage in and promote honest and ethical conduct, including but not limited to the soliciting, negotiating and monitoring of all contractual relationships.
2. We will avoid the actual or appearance of conflicts of interest.
3. We will not engage in any matter which represents a conflict of interest with the Huron County Board of DD.

4. We will not engage in any transaction, business or any other interest which conflicts with the proper discharge of official duties.
5. We will not accept any gift, in the form of service, loan, item or promise from any person, firm or organization, which maintains an interest in any business dealings with the Board.
6. We will not accept any gift, in the form of service, loan, or promise from any person, firm or organization that may tend to influence an employee in the proper discharge of official duties.
7. We will not use confidential information or influence of position to advance personal, financial or other private interests.
8. We will not engage in any improper communication or conduct with an individual served by the County Board.
9. We will comply with all applicable laws, rules, and regulations of federal, state, and local governments.
10. We will conduct all financial matters within the standards of generally accepted, sound financial management practices.
11. We will responsibly use and control all assets, resources, and information in our possession.
12. We will encourage the prompt reporting of any violations of this Code of Ethics or other governing documents to the Superintendent, or other so designated entity.
13. We will use restricted monies for its requested specific purpose. We will be able to account for its activity and show how the funds were used.

MARKETING AND COMMUNICATIONS ACTIVITIES:

1. Marketing activities are part of the Huron County Board of DD's accountability to the public.
2. We will practice honest, transparent and timely communication to facilitate the free flow of essential information in accord with the public interest.
3. Marketing activities will never knowingly mislead and misinform the public or misrepresent the Huron County Board of DD.
4. Marketing activities will uphold the integrity of the Huron County Board of DD so as to merit the continued support and trust of the public.
5. We will disseminate accurate information and promptly correct any erroneous communication for which we may be responsible.
6. We will ensure that all services and products are promoted in a manner that promotes respect for our employees and the people receiving services, as well as sensitivity to cultural values and beliefs.
7. Marketing activities and efforts shall always respect the dignity and privacy rights of those served.
8. We will protect confidential information and comply with all legal requirements for disclosure of information affecting the welfare of others.
9. We will protect the privacy of our employees and disclose information about them as permitted or required by law and/or only with their expressed and written permission.
10. We will protect the privacy of people served and use their stories only with their expressed and written permission.

CONTRACTUAL RELATIONSHIPS:

1. All procedures and operational guidelines for direct services contracts are covered in Board Policy #1.6 - Ethics.
2. The Huron County Board of DD will maintain its relationships with individuals and entities with whom it has established or is considering establishing a contractual relationship in a legal and ethical manner.
3. Any conflicts of interest with any current or potential bidders must be declared.
4. The Board has an obligation to determine that potential and current contractors have the following:
 - a. The capacity to perform at an acceptable level.
 - b. Appropriate certification and/or licensure.
 - c. The financial capacity to continue acceptable performance.
 - d. Policies and procedures to guard against waste, fraud and abuse.
5. A business or contracted relationship will be avoided if the individual or entity has been identified on the state and/or federal exclusion list.
6. Contractual relationships will be time limited with payment expectations outlined in the contract.
7. Contracts will be reviewed on an annual basis unless otherwise indicated in the bid documents or if performance falls below acceptable levels.
8. Contractors will not contract with Board employees on a personal basis and will not compensate those employees with cash, checks or gifts. Any and all compensation and monies paid will be paid to the Board.

SERVICE DELIVERY:

1. All actions in working with persons served or employees will promote self-esteem and will demonstrate empathy and a willingness to use insights gained in such a manner as to improve the situation.
2. We will always treat persons served and employees with dignity and respect, regardless of disability or other potential deficit areas.
3. The input of individuals served into the rehabilitation process is not only important but is paramount. That input should always be accepted in a respectful manner.
4. Individuals served give up no legal rights when they join the Huron County Board of DD. Hence, an individual's legal rights must be respected at all times.
5. An atmosphere must be maintained in which those served may learn and develop.
6. The agency must be ever mindful of the attitudinal, architectural, communications, environmental, financial, employment, transportation and integration barriers that may exist in the agency. Where barriers exist, the agency will consider and take, where appropriate, corrective action.
7. We will not discuss or disclose confidential company, employee or information on persons served without proper authorization unless related to job responsibilities.
8. We will strive to provide quality services at all times.
9. We will strive to avoid any real or perceived conflicts of interest and will make arrangements for alternative services, as needed.
10. We do not allow the exchange of gifts, money and gratuities between employees and persons served and discourage the same among persons served.

11. We do not allow personal fund raising in the workplace other than campaigns to support the needs of employees or persons served who have been adversely impacted by disasters.
12. We discourage bringing personal property to the workplace, especially items of religious or political nature which may be offensive to others not sharing similar views.
13. We strongly support the setting of professional boundaries between employees and persons served, while honoring a friendly and respectful provider/person served relationship.
14. We limit and vest authority of witnessing documents outside the scope of services provided and pursuant to persons served to those designated by the Superintendent of the County Board. Notary Public agents who work for the organization will discharge their duties according to current authority.

PROFESSIONAL RESPONSIBILITIES:

1. We are committed to continually improving our relationship with the public, employees and people we serve.
2. We will respect the tools and resources, including levy support, provided to meet the needs of the organization and those that we serve.
3. We must be good stewards of these community resources.
4. We will not discriminate because of race, color, creed, sexual orientation, age, gender, disability, national origin, or religion. We shall endeavor to eliminate and prevent discrimination in rendering services; or any other factor that the law protects from discrimination.
5. We will treat one another, persons served, families and community members with dignity and respect regardless of their reason for contact with the agency. We must be responsive to the needs and concerns of the community.
6. Individuals expressing complaints regarding activities of the organization must be listened to politely. Actions must be guided by a willingness to understand and an offer to respond to the complaint.
7. Responses and interactions must be conducted in an atmosphere of education regarding the mission of the agency.
8. Answers to complaints must be given in a professional, dignified manner.

HUMAN RESOURCES:

1. All Human Resources activities will be handled in accordance with all applicable federal, state and local laws.
2. The Human Resources department will assist the employee when working with issues that have been brought forward.
3. The Human Resources department will compile a list of all employees that have left employment with the Board.
4. Through on-going professional development and continuing education, we will strive to remain current with our skills and abilities relevant to the services we offer.
5. We are committed to diversity within our workforce to effectively meet the needs of the people we serve.
6. We are committed to providing a safe, drug-free and healthy working environment.

- G. Employees should report any apparent violation of this Code of Ethics to the Superintendent. No adverse personnel action shall be taken or recommended against an employee in retaliation for his/her disclosure in good faith of an alleged violation of the Code of Ethics. However, this policy does not protect an employee from disciplinary action if the company reasonably concludes the report of wrongdoing was knowingly fabricated by the employee or was knowingly distorted, exaggerated or minimized. This report to the Superintendent must be made within (5) working days of knowledge of the event. The Superintendent will investigate and if action is warranted will report the matter to the Board. A decision to take corrective action will be made within ten (10) working days.
- H. Employees must comply with all confidentiality laws and rules related to students/clients/persons served. An employee who has a question concerning these requirements must consult with his or her supervisor.
- I. An employee must submit a statement to the responsible entity with the applicant's signature attesting that he or she has not been convicted of or pleaded guilty to a qualifying offense. An applicant or employee shall disclose to the responsible entity a conviction for any offense that has been sealed.
An employee must sign an agreement under which the applicant agrees to notify the responsible entity within fourteen calendar days if, while employed by the responsible entity, the applicant is formally charged with, is convicted of, or pleads guilty to a disqualifying offense. The agreement shall provide that failure to make the notification may result in termination of the applicant's employment.

J. WASTE, FRAUD AND ABUSE AND OTHER WRONGDOING

1. PURPOSE

The Huron County Board of Developmental Disabilities is dedicated to the delivery of services in an environment characterized by strict conformance with the highest standards of accountability for administration, service delivery, human resources, professional responsibilities, business, marketing and financial management. The Huron County Board of Developmental Disabilities leadership is fully committed to the need to prevent and detect fraud, fiscal mismanagement and misappropriation of funds. The Huron County Board of Developmental Disabilities is committed to the establishment, implementation and maintenance of a corporate compliance program to ensure ongoing monitoring and compliance with all legal and regulatory requirements. The program will emphasize:

- a. Prevention of wrong doing—whether intentional or unintentional;
- b. Immediate reporting and investigation of questionable activities and practices without consequences to the reporting entity, and;
- c. Timely correction of any situation that puts the Huron County Board of Developmental Disabilities, its leadership or staff, persons served or funding sources at risk.

2. DEFINITION OF TERMS

- a. Waste: the production of excess and unwanted materials and articles. Can be either intentional or unintentional. Examples: overspending, purchasing unneeded items and billing back to funding source.
- b. Fraud: Deception deliberately practiced to secure unfair or unlawful gain. Examples: billing for services not rendered, double billing, over billing.
- c. Wrongdoing: evil or improper behavior-either intentional or unintentional. Examples: embezzlement, incompetence, not providing proper training for staff.
- d. Abuse: a corrupt practice or custom. Can be either intentional or unintentional. Examples: unfair compensation, unwarranted bonuses, misreporting, etc.

3. **REPORTING AND RESPONSE**

Employees have the responsibility to report any wrongdoing to the Superintendent/designee. Any employee may contact the Superintendent/designee to report issues of fraud, waste, and/or abuse.

The Superintendent/designee's responses to reported instances are to be made within 15 business days. Responses that require a length of time in excess of the 15 business days will be granted an additional 15 business days.

4. **NON-RETALIATION POLICY**

The Huron County Board of Developmental Disabilities will not retaliate or take any form of reprisal against any individual bringing a complaint. Any such retaliation is prohibited. Employees who believe they may have been subject to retaliation should report such suspected retaliation to the Superintendent/designee, or if the employee wishes to by-pass the Superintendent for any reason, to the President of the Board.

EFFECTIVE DATE: 10/22/15

REVISIONS: 11/15/16

REFERENCE: OAC 5123:2-02-02

POLICY #1.8- PROGRAM CAPACITY STATEMENT

Purpose: The purpose of this policy is to establish the capacity of each program offered through the Huron County Board of Developmental Disabilities.

A. EARLY CHILDHOOD

1. HCBDD follows Early Intervention rules in Ohio Administrative Code (OAC) 5123-4-01

B. SCHOOL AGE PROGRAM CAPACITY

1. 24 FTE Multi-Disabled school age students.

C. HELP ME GROW HOME VISITING

Help Me Grow Home Visiting follows Ohio Administrative Code (OAC) 3701-8-03.

D. EI/HMG SERVICE COORDINATION

Early Intervention and Help Me Grow Service Coordination follow OAC 3701-8-03.

EFFECTIVE DATE: 9/16/03

REVISIONS: 4/05, 9/19/06, 1/19/10, 2/15/11, 10/15/13, 10/22/15, 11/15/16, 6/18/19

REFERENCE: OAC 5123-4-01, OAC 3701-8-03

POLICY #1.9- PUBLIC RECORDS

Introduction:

It is the policy of HCBDD that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of HCBDD to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

A. Public Records

The HCBDD, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, email), or other format – that is created or received by, or comes under jurisdiction of, a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the HCBDD are public unless they are specifically exempt from disclosure under section (ORC) 149.43 of the Ohio Revised Code.

1. It is the policy of the HCBDD that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.

B. Records Requests

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

1. Public records are to be available for inspection during regular business hours. Public records shall be made available for inspection promptly. Copies of public records must 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; and the necessity for any legal review of the records requested.
 - a. Policy 1.10 3(b)(i)
A public office or person responsible for public records may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory and that the requester may decline to reveal the requester's identity or the intended use and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the public office or person responsible for public records to identify, locate, or deliver the public records sought by the requester.

2. Although no specific language is required to make a request, the requestor must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the Human Resources/designee must contact the requestor for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.
3. The person requesting records must identify those records with sufficient clarity to allow the Human Resources/designee to identify, retrieve and review the records. For the purpose of enhancing the ability to identify requested records, provide for prompt inspection and copies of the requested items in a reasonable period of time, HCBDD may ask for the request in writing. Staff will assist the requestor, if necessary.
 - a. Prompt inspection and copies of records within a reasonable amount of time contemplates the opportunity for legal review.
 - b. Although the Human Resources/designee may ask for the request in writing, for the requestor's identity, and may inquire about the intended use of the information requested, the requestor shall be advised that:
 - i. A request in writing is not mandatory; and
 - ii. The requestor's refusal to make a request in writing, or to identify themselves or the intended use of the information, does not impair their right to inspect and/or receive copies of the public record.
 - c. Any person, including corporations, individuals, and governmental agencies, may request public records, and will be allowed prompt inspection of public records and copies within a reasonable amount of time upon request.
4. Upon receiving a request for copies of a public record made in accordance with section 149.43 of the Ohio Revised Code, this public office shall promptly respond to the request.
 - a. A staff person will evaluate the request and estimate the length of time required to gather the records, taking into account the volume of records, the proximity of the record storage, and the necessity for any legal review of the records requested. The requestor will be advised that advance payment is required prior to providing copies of public records, and in addition, if mailed, the fee shall also include the cost of postage and the envelope.
 - b. When practical, HCBDD may forward copies of records by any other means reasonably acceptable to the requestor.
 - c. If a request is voluminous, housed in an off-site location, or will require legal review, an acknowledgement letter will be prepared. This letter will include: the estimated number of business days to satisfy the request, an estimated cost if copies are requested; and any items that may be exempt from disclosure. Any denial will include an explanation including legal authority.
 - d. Persons seeking copies of public records are not permitted to make their own copies of the requested documents by any means. (R.C. 149.43(B)(6))
 - e. In the event a request is made to inspect and/or obtain a copy of a record maintained by HCBDD whose release may be prohibited or exempted by either state or federal law, the request shall be forwarded to legal counsel for HCBDD

for research and/or review. The person submitting the request shall be advised that their request is being reviewed by legal counsel to ensure that protected and/or exempted information is not improperly released.

5. Any denial of public records requested 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 rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.
6. Requests for inspection and/or copies of public records, which are not maintained by the Huron County Board of DD shall be replied to in writing. The response shall include the information that these records are not kept by HCBDD, the requested records have been disposed of according to the Schedules of Records Retention and Disposition (RC-2) or pursuant to Application of One Time Records Disposal (RC-1), or that in accordance with R.C. 149.40, HCBDD is under no obligation to create records to need the records request.

C. E-Mail

- a. Documents in electronic mail format are records as defined by Section 149.43 of the Ohio Revised Code when their content relates to the business of HCBDD. E-mail is to be treated in the same fashion as records in other formats and will follow the same retention schedules.
- b. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of HCBDD are instructed to retain their e-mails that relate to public business (see Section A Public Records) and to copy them to their business e-mail accounts and/or to the HCBDD Human Resources/designee.
- c. The Human Resources/designee will treat the e-mails from private accounts as records of the public office, will file them in the appropriate way, will retain them pursuant to established schedules, and will make them available for inspection and copying in accordance with the Public Records Act.

D. Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies.

1. The charge for paper copies is 10 cents per page.
2. The charge for downloaded computer files to a compact disc is \$1.00 per disc.
3. There is no charge for documents e-mailed.
4. Requestors may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

E. Failure to respond to a public records request

HCBDD 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 public office's failure to comply with a request may result in a court ordering the public office to comply with the law and to pay the requestor attorney's fees and damages.

EFFECTIVE DATE: 10/22/15

REVISIONS: 11/15/16

REFERENCE: ORC 149.43