



POLICY AND PROCEDURE

ADM 8.2.0 Open Records Requests

Purpose: It is the policy of BOT to fully comply with the spirit and letter of the Oklahoma Open Records Act. Responding to open records requests is a fundamental function of BOT. As such, great care should be taken to respond completely and accurately. This policy and procedure provides guidance to employees of the Board in responding to Open Records Requests.

Effective Date: January 1, 2021

Superseded Policy: ADM 8.1.0 Open Records Requests

References: 47 O.S. 759, 51 O.S. §24A.1 et. seq., 40 O.A.C. 1-1-3

Related Forms: BOT Form ADM 3.1

Approved By: Joshua Smith

1. All BOT staff assisting in the preparation of responses to Open Records Requests will be familiar with the provisions of the Oklahoma Open Records Act, and its application.
2. BOT classifies open records requests into two categories.
 - a. Category 1 – These requests are for records related to a specific item or activity that are easily discernible and referred to routinely. Examples of Category 1 records requests include those for maintenance records for a particular instrument for a specific time period, or training records for a particular officer.
 - i. Due Date: Responses to Category 1 requests shall be processed within 10-14 working days of receipt. The due date will be entered on the BOT central calendar by the Administrative Technician upon receipt of the Open Records Request. Extension of the due date may be authorized by the Director or Business Manager as necessary. [Note: The due date is included in this policy as a customer service provision and should not be interpreted as a measure of compliance with the Oklahoma Open Records Act.]
 - b. Category 2 – These requests are for general BOT records that span over a course of months or even years, or deal with several different subjects, and require significant research and evaluation. Responses to Category 2 records requests must be reviewed and approved by the Director. Any request for device manuals, training materials, BOT Personnel records or email correspondence requested is considered a Category 2 Open Records Request.
 - i. Due Date: Responses to Category 2 requests shall be processed within 30 working days of receipt. If the request is still pending after 30 days, then the requesting party will be notified of the delay. The due date will be entered on the BOT central calendar by the Administrative Technician upon receipt of the Open Records Request. Extension of the due date may be authorized by the Director as necessary. [Note: The due date is included in this policy as a

customer service provision and should not be interpreted as a measure of compliance with the Oklahoma Open Records Act.]

3. Open Records Request Register: The Administrative Technician will maintain records of Open Records Requests and Responses, recording the details of each open records request on the central calendar.
4. Documents produced in response to an open records request will be provided in the manner in which they are kept in the ordinary course of business by BOT.
5. The Director will be consulted as soon as practicable regarding responsive documents that may be covered by an exception to the Open Records Act. Only the Director may authorize withholding documents in accordance with an exception to the Open Records Act. Such authorization shall be in writing and signed by the Director, and shall summarize the types of documents and cite the specific provision of the Open Records Act relied upon.
6. Copyrighted materials in the custody and control of BOT will not be copied and produced in response to Open Records Requests. In the event copyrighted materials are in the custody and control of BOT that are responsive to an Open Records Request, a mutually agreeable time will be arranged for inspection of the materials by the requesting party. Training materials including any test forms, question banks and answer keys developed for state licensure examinations, but specifically excluding test preparation materials or study guides are exempt from any Open Records Request and shall not be viewable for inspection.
7. Each response to an open records request will be accompanied by a BOT Form ADM 3.1 which outlines the documents produced pursuant to the request. In addition to this information, the BOT Form ADM 3.1 will indicate if BOT documents were found and not produced pursuant to an exception found in the Open Records Act, or other law.
8. Each response to an open records request will be accompanied by a copy of the submitted open records request.

END OF POLICY AND PROCEDURE STATEMENT