

## **GENERAL GUIDANCE FOR PUBLIC RECORDS**

The following are some general principles and guidance for complying with the Nebraska Public Record Statutes.

- Public Records include all records and documents, regardless of form, of the state, unless a statute expressly provides otherwise.
- Examples of records and documents are agendas, emails, instant messages, letters, data, policies, meeting minutes, computer files, reports, fee books, licenses, applications, briefing papers, claims, state warrants, and other financial information.
- A document on a private computer, smart telephone, or tablet of a member of a public body can be a public record if it relates to the business of the Commission. It is recommended that Commission members avoid using personal computers by either using computers provided by the body or using paper.
- Documents used at public meetings are public records. Records that otherwise could be withheld from the public can lose their protected status if disclosed at a public meeting.
- The public can review and obtain copies of public records unless there is a law allowing the custodian of the record to withhold access.
- The public does not have to provide a reason for wanting to review or obtain a copy of a public record.
- A member of the public can be charged the reasonable cost of making a copy of a public record.
- Drafts and briefing documents used by a public body at a meeting are public records.
- Any records used or created by the Commission are records of the state.
- The Commission needs to respond to any requests for records used or created by the Commission within four business days. Since Nebraska law designates that the Commission is within the office of the CEO of the Department of Health and Human Services (DHHS), records requests can be made to DHHS for Commission records.