**Section 5176.205 Records that Will Be Withheld from Disclosure**

a) For exemptions from FOIA that are stated in FOIA, see Section 7(1) of the Act.

b) *A record that is not in the possession of the Board but is in the possession of a party with whom the Board has contracted to perform a governmental function on behalf of the Board, and that directly relates to the governmental function and is not otherwise exempt under FOIA, shall be considered a record of the Board for purposes of* Subpart C. (Section 7(2) of FOIA)