

PUBLIC RECORDS POLICY

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| POLICY NUMBER: 900-01 | EFFECTIVE DATE: 1/6/2008 | APPOINTING AUTHORITY APPROVAL: <i>1. [Signature]</i> |
| REPLACES POLICY DATED: 9/27/2007 | AUTHORITY: O.R.C. 149.43 (E)(1); O.R.C. 149.43 (E)(2) | |

I. PURPOSE

The purpose of this policy is to provide the Department of Administrative Services (DAS) employees with information regarding the public records act and to establish a procedure within DAS for responding to requests for public records.

II. PUBLIC RECORDS

- A. In accordance with Ohio Revised Code 149.43, records are defined as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.
- B. Records created using personal devices and software may be considered public records for the purposes of this policy.
- C. All records of DAS are public unless they are exempt from disclosure under the Ohio Revised Code.
- D. DAS records will be organized and maintained so that they are readily available for inspection and copying.
- E. Record retention schedules are to be updated regularly and made available online through the Records Information Management System.

III. PUBLIC RECORD REQUESTS

- A. Each request for public records should be evaluated for a response using the following guidelines:
 - 1. 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 DAS division or office to identify, retrieve, and review the records.
 - 2. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requester in revising the request by informing the requester of the manner in which the records are kept.

3. The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record.
 - a. This information would only be requested if the information would improve the ability to comply with the request.
 - b. If any such information is requested, the requester will be told the information is not required.
4. Public records are to be available for inspection during regular business hours, with the exception of published holidays.
5. Public records must be made available for inspection promptly and copies of public records must be made available within a reasonable period of time.
 - a. "Prompt" and "reasonable" take in to 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.
6. Each request should be evaluated for an estimated length of time required to gather the records. All requests for public records must be satisfied within a reasonable time.
7. Records requests should be coordinated with the Office of Communications and the Office of Chief Legal Counsel.
8. Any denial of public records requested must include an explanation, including legal authority.
9. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. Redactions must be plainly visible or the requester must be notified of the redaction.

IV. PUBLIC RECORDS COSTS

- A. Those seeking public records will be charged only the actual cost of making copies.
 1. The standard charge for paper copies is five (5) cents per page.
 2. The charge for downloaded computer files to a compact disc is one (1) dollar per disc.
- B. Requests may be made to have the records mailed to the requester.
 1. The actual cost of the postage and mailing supplies will be charged.
 2. The cost of providing the records may be requested in advance.

V. POLICY QUESTIONS

For questions regarding this policy, contact the Office of Chief Legal Counsel at 614-644-1773.

VI. REVISION HISTORY

| Date | Description of Change |
|------------|-------------------------------------------|
| 09/27/2007 | Original Policy Release |
| 01/06/2008 | Reformatted for Inclusion in DAS Policies |
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