

INTRODUCTION TO PUBLIC RECORDS

OKI is a council of local governments, business organizations and community groups committed to developing collaborative strategies to improve the quality of life and the economic vitality of the region. OKI is a private entity that receives government funding. As such it recognizes the importance of transparency in its activities and makes it its policy to adhere to Ohio's Public Records Act.

PUBLIC RECORDS

Section 1 Definition

OKI, in accordance with the Ohio Revised Code, defines public records 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. All records of a public office are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Section 1.1 Organization and Maintenance

As required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy).

PUBLIC RECORDS REQUESTS & RESPONSES

Section 2 Evaluation of a Public Records Request

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

Section 2.1 Identification of Public Records Requested

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the OKI records custodian to identify, retrieve, and review the records. If it is not clear what records are being sought, the OKI records custodian must contact the requester for clarification.

Section 2.2 Method of Public Records Request and Identity of Requestor

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.

Section 2.3 Availability of Public Records for Inspection and Production of Copies

Public records are to be available for inspection during regular business hours, with the exception of days when the OKI office is closed to the public. Public records will be made available for inspection promptly. Copies of public records will 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.

Section 2.4 Time Constraints for Satisfying Public Records Requests

Each request should be evaluated for an estimated length of time required to gather the records. If feasible, routine requests for records should be satisfied within three business days. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

All requests for public records must either be satisfied or be acknowledged in writing by OKI within a reasonable time following OKI’s receipt of the request. If a request will not be satisfied within three business days, the acknowledgement must include at least the following:

- A request for clarification (if necessary)
- An estimated number of days it will take to satisfy the request
- An estimated cost if copies are requested

Section 2.5 Denial of Public Records Requests

Any denial of public records requested will 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 will be accompanied by a supporting explanation, including legal authority.

COSTS FOR OBTAINING COPIES OF PUBLIC RECORDS

Section 3 Charges for Copies and Postage

Those seeking public records will be charged only the actual cost of making copies, as follows:

- The charge for black and white copies is 10 cents per page
- The charge for color copies is 25 cents per page.
- The charge for downloaded computer files to a compact disc is \$1 per disc.
- There is no charge for documents e-mailed.
- The charge for mailed documents is the actual cost of the postage and mailing supplies.

E-MAIL AS PUBLIC RECORDS

Section 4 Definition of E-mail as Public Records

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of a public office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1 Private E-mail Accounts Holding Public Records

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of OKI are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to copy them to their business e-mail accounts and/or to OKI's records custodian.

Section 4.2 Duties of the Records Custodian in Managing Private Account E-mails

The records custodian is to treat the e-mails from private accounts as records of OKI, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.