

Darke County Metropolitan Housing Authority Public Records Policy

Public Records

This office, in accordance with the Ohio Revised Code, defines 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 (this office) are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

It is the policy of DCMHA that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and readily available to the public upon request.

Record Requests

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

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 public office to identify, retrieve, and review the records. 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 requestor of the manner in which the office keeps its records.

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 records. It is this office's general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requester's identity, and/or the intended use of the information requested, but only if a written request or disclosure of identity or intended use would benefit the requester by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; and the requester is first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

Public records are to be available for inspection during regular business hours, except for published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" consider the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review and redaction of the records requested.

In processing the request, the office does not have an obligation to create new records or perform a search or research for information in the office's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office's standard

use of sorting, filtering, or querying features. Although not required by law, the office should consider generating new records when it makes sense and is practical under the circumstances. An office employee may accompany the requester during the inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General's website (www.OhioAttorneyGeneral.gov/YelloBook) for the purpose of keeping employees of the office and the public educated as the office's obligations under the Ohio's Public Records Act, Ohio's Open Meetings Act, record retention laws, and the Personal Information Systems Act.

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. 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. If more copies are requested, an appointment should be made with the requester on when the copies or computer files can be picked up. All requests for public records must either be satisfied or be acknowledged in writing by DCMHA within three business days following the office's receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

An estimated number of business days it will take to satisfy the request.

An estimated cost if copies are requested.

Any items within the request that may be exempt from disclosure.

Electronic Records

Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

Denial and Redaction of Records

If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the office cannot reasonably identify what public records are being requested, the request may be denied, but the office must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office. Any denial of public records requested must include an explanation, including legal authority for the denial. 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 must be accompanied by a supporting explanation, including legal authority.

Copying and Mailing Costs

Those seeking public records will be charged only the actual cost of making copies, not labor. The charge for paper copies is 25 cents per page. The charge for electronic files downloaded to a compact disc is \$1 per disc. There is no charge for documents e-mailed. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

A requester may be required to pay in advance for the actual costs involved in providing the copy. They may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

Managing Records

DCMHA's records are subject to records retention schedules. The office's current schedules are available at 1469 Sweitzer Street, Greenville, Ohio 45331, a location readily available to the public as required by Ohio Revised Code 149.43(B)(2).

This policy was approved by the Board of Directors of Darke County Metropolitan Housing Authority on _____.