

Russell Township Park District– Public Records Policy
In compliance with O.R.C. Section 149.43

I. Introduction:

The public records request policy establishes office procedures for responding to requests for public records. It is the policy of the Russell Township Park District, Ohio, (the "Agency") to keep an open forum with the citizens of Russell Township, and the general public, as openness leads to better informed citizens which is the building blocks of a successful government and public policy. In compliance with the law, the Agency models its Public Records Policy to adhere to Ohio's Public Records Act, Section 149.34 of the Ohio Revised Code and related Sections.

II. Defining Public Records

All records are organized and maintained so they can be made readily available for inspection and copying upon request. All records are public unless specifically exempt from disclosure under the Ohio Revised Code, or a confidential attorney-client work product or communications.

Public Records are defined to include 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 the Agency that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Agency. It does not include any of the records listed in Section 149.43(A) of the Ohio Revised Code as not being public records.

This Public Records policy shall be posted on the Agency website, if any, and must be distributed to all relevant persons – including, but not limited to, the Agency employee who is the records manager or has custody of the records. A copy of this policy shall be provided to any person upon request.

The Agency's record retention schedule is maintained in accordance with Section 149.39 of the Ohio Revised Code and a copy of the current records retention schedule is kept readily available to the public.

III. Requests for Public Records

The Agency will ask that all requests to be made in writing, and that the requester present identification only (1) after informing the requester that the requester may decline and (2) when a written request or disclosure of identify would benefit the requester by enhancing the ability of the Agency to identify, locate or deliver the public records sought. Unless specifically required by state or federal law, the Agency will not limit or condition the availability of public records by requiring disclosure of the requester's identity or intended use.

No specific language or form is required to make a request, but the request must not be overly broad or ambiguous. The requester must at least identify the requested records with sufficient clarity to allow the office to identify, retrieve and review the records. If it is not clear what records are being sought, the office 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 office keeps its records.

If the requester fails to revise the request so that it is not ambiguous or overly broad, the Agency may deny the request, in whole or in part. The Agency public records employee shall provide the requester with a written explanation detailing why the request was denied. If portions of the record are exempt, the exempt portions must be redacted and the rest shall be released. All redactions shall be

plainly visible, and shall be accompanied by a supporting explanation. This is in accordance with Section 149.43(B)(3) of the Ohio Revised Code.

In processing the request, the office does not have an obligation to create new records or perform new analysis of existing information.

In processing a request for inspection of a public record, an office employee must accompany the requester during inspection to make certain original records are not taken or altered.

A. Confidential and Privileged Records

Any record that is deemed to be a confidential communication between an attorney and client or created in preparation for trial shall be clearly marked at the top of the first page and at the bottom of each subsequent page, with a notation indicating that the record is either a "Confidential Attorney-Client Communication" or "Confidential Attorney Work Product." If the record is in email format, the notation should be included in the subject field.

All Civil investigatory records and criminal law enforcement records should be prominently marked or stamped with a "Confidential" notation by Agency employees, but failure to so designate the document shall not be deemed a waiver of the right of the Agency to declare the record(s) exempt from disclosure.

IV. Response Timeframe

Public records shall be made available for inspection upon request, at a time and place to be mutually agreed upon. Upon request, all public records requests shall be prepared promptly and made available for inspection or copied within a reasonable 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 legal review of the records requested.

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. 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 public records should be made available as quickly possible.

The Agency is not required to permit a person who is incarcerated, pursuant to a criminal conviction or juvenile adjudication, to inspect or obtain copied of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution if the suspect were an adult. This policy applies unless the request falls under an exception of Section 149.43(B)(8) of the Ohio Revised Code.

V. Copying and Mailing Costs

Those seeking public records will be charged the actual cost of the copies, including the cost of any medium which the record is copied on (e.g. the cost of a flash drive or floppy disk), and any postage or mailing costs, and a deposit of the estimated cost may be required of the requester. The requester may choose what medium to have the record copied onto as long as it is reasonable and a process that is part of the Agency's normal operation. Copies made by the Agency on an Agency copier, if any, will be charged fifteen cents (\$.15) per page. If a copy request is for a total of ten (10) pages or fewer, the records may be provided at no charge, at the discretion of the Agency. There is no charge for documents emailed, if the documents already exist in a suitable electronic format. The Agency may choose to employ the services, and charge the requester the costs of, a private contractor to copy public records so long as the decision to do so is reasonable. Upon request, the Agency will mail a copy of the public

record by U.S. mail or any other reasonable means of delivery or transmission within a reasonable time after receiving the request.

If the cost of the requested copy is estimated by the Agency employee responding to a public records request, to be ten dollars (\$10) or more, a deposit in the amount of the estimated cost shall be paid to the Agency before the copies are made.

No requester shall make copies of public records kept by the Agency without the written consent of the Agency.