

PUBLIC RECORDS POLICY

Policy Number: 700.0 Effective Date: November 6, 2023

700.1 PUBLIC RECORDS POLICY

1. Public Records Mission Statement

Openness leads to a better-informed citizenry, which leads to better government and better public policy. It is always the mission and intent of Mifflin Township to fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act.

2. Defining Public Records

A "record" is defined to include the following: A document in any format – paper, electronic (including, but not limited to, business e-mail) – that is created, received by, or comes under the jurisdiction of Mifflin Township that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

A "public record" is a "record" that is being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

3. Response Timeframe

Public records are to be available for inspection during regular business hours. 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" take into account the volume of records requested, the proximity of the location where the records are stored, the necessity for any legal review and redaction, and other facts and circumstances of the records requested. See the Records Manager for guidance.

It is the goal of Mifflin Township that all requests for public records should be acknowledged in writing or, if feasible, satisfied within three business days following the office's receipt of the request.

4. Making Requests

- **4.1 Request Clarity** The requester must identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records.
- **4.2 Request Methods** The requester does not have to put a records request in writing and does not have to provide their identity or the intended use of the requested public record(s).
- **4.3 Request Contact Information** Public records requests can be made via e-mail, telephone, or in person during regular business hours.

5. Responding to Requests

- **5.1 Notification to Records Manager** Upon an employee's receipt of a request for record(s), the employee should notify the Records Manager.
- **5.2 Record Processing** In processing the request, the office does not have an obligation to create new 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.
- **5.3 Accompanying Requester During Inspection** In processing a request for inspection of a public record, an employee may accompany the requester during inspection to ensure the original records are not taken or altered.
- **5.4 Ohio Sunshine Laws Manual** A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General's website for the purpose of keeping employees of the office and the public educated as to the office's obligations under Ohio's Public Records Act.

6. Electronic Records

- **6.1 Handling Electronic Records** Records in the form of e-mail, text messaging, and instant messaging 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.
- **6.2 Records Retention** 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.

7. Denial and Redaction of Records

- **7.1 Ambiguous or Overly Broad Requests** If the requester makes an ambiguous or overly broad request, the request may be denied but with the opportunity for the requester to revise the request.
- **7.2 Explanation and Legal Authority** If the office withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s).
- **7.3 Redaction Notification** When making public records available for public inspection or copying, the office shall notify the requester of any redaction or make the redaction plainly visible.

8. Copying and Mailing Costs

- **8.1 Cost of Copies** Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is five cents per page. The charge for electronic files downloaded to an electronic media device would be the actual cost of the device. Contact the Records Manager for guidance.
- **8.2 Payment and Delivery Options** The requester 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.
- **8.3 Emailed Documents** There is no charge for e-mailed documents.
- **8.4 Mailed Documents** The requester may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery.

9. Managing Records

- **9.1 Records Retention Schedules** Mifflin Township's records are subject to records retention schedules. The current record retention schedules are available at The OPS Center, Suite 200, 400 W. Johnstown Road, Gahanna, Ohio 43230, a location readily available to the public as required by Ohio Revised Code §149.43(B)(2).