

Public Records Policy

Introduction

The Franklin County Auditor's Office maintains records used for administration and operation. These records are maintained in a manner that provides for prompt inspection and the copying of records within a reasonable amount of time during regular business hours. The maintenance and accessibility of these records are legislated and mandated to provide trust between the public and our office. The Ohio Revised Code (ORC) 149.43 grants any person the right to inspect a public record within a reasonable time period and at any reasonable time upon request.

Our office will have a current copy of its records retention schedule and policy available to the public. We will have our public records poster conspicuously placed in the public office.

Requests for Public Records

Requests for Public Records can be made during normal office hours in either written form, or a verbal request for information. Our normal business hours are Monday through Friday from 8 a.m. until 5 p.m. The request can be made by email, letter, phone call, or in person. We ask that a written request be completed whenever possible. This is to help clarify the understanding of what records are being requested and to clear up any ambiguities. However, a written request is not required nor would there be a denial of the records requested if one is not provided.

If a record does not already exist, we are not required to create a record that contains the information requested, or seek out and retrieve records that contain specific information that may be of interest of the requester.

There is not a mandate that requires the office allow the person seeking a copy of the public record to make a copies of the public record themselves. The records of this office should remain under the control of this office.

Members of the media should submit their request to our director of communications or designee. All non-media public records request should be submitted to the director of the area in which the request is being made. The director will review the request and follow the approved Public Records Request Response Procedures.

Defining Public Records

A "**record**" is defined as any item that contains information stored on a fixed medium; is created, received, or sent under the jurisdiction of a public office; and documents the organization, functions, policies, decisions, procedures, operations or other activities of the office, as defined by Ohio law (ORC 149.011(G)).

A "**Public Record**" as defined by Ohio law (ORC 149.43(A)(1)), means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Ohio Revised Code.

Electronic Records

Records in the form of email, 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 email records and other electronic records in accordance with our records retention schedules.

Records That Will Not Be Released

Under Ohio law (O.R.C. 149.43(A)) not all information contained in a record, or the entire record itself is considered a public record and is not subject to release. Records will be reviewed before being released. Denial of all or any part of a public record request will include an explanation, including legal authority.

Costs

If any person chooses to obtain a copy of a public record, our office or person responsible for the public record will require that person to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the person seeking the copies. The cost shall be in accordance with the current public records cost schedule.

Response Timeframe

Public records are to be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. “Promptly” 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 and redaction of the records requested as defined by Ohio law; preparing the request; and providing for delivery.

If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record may deny the request. They shall, however, provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office’s or person’s duties.

Policy Questions

Questions regarding this policy should be directed to the public records designee, chief deputy auditor, or Franklin County Auditor.