

Public Records



FOR TRUSTEES AND ZONING

What is a Public Record



- A Public Record is any record kept by a public office.
- A Record is any document, device or item, regardless of physical form created or received by any public office **which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.**
- Kept by means any record that is actually in existence and in the possession of the public office or the person responsible for the public record.

Electronic Records, Notes & Drafts



- Emails- Should be handled like any paper record.
- Notes can be records.
- They are not records if they are:
 1. kept as personal, not official records
 2. Kept for employee's own convenience AND
 3. Other employees did not use or have access to the notes.
- Drafts can be considered a public record also.

Rights and Obligations



- Any “person” can make a public records request.
- A request may be oral or in writing
- A public office cannot require the requestor to reveal his/her identity.

Rights and Obligations



- **A Public Office must:**
 - Answer a request in a prompt or reasonable period of time
 - Have reasonable business hours to allow inspection of records.
 - Allow a choice of media
 - Supply copies at “ Cost”
 - Allow different methods of delivery

Exceptions to the Public Records Act



- **Unless a Public Office can identify an exception that clearly requires or permits withholding a requested record, it must disclose the record.**
- **Exceptions are created by law and can be only found in 149.43.**
- **Exceptions are construed against the public office and in favor of disclosure.**

Withholding or Redacting



- You must notify the requestor where you have withheld information.
 - Redaction means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a record.
- Redactions **must** be plainly visible, or the office must advise the requestor of what redactions have been made.
- You **must** give the legal authority you have for withholding information.

No Obligation



- **A Public Office has no obligation to:**
 - Create new records
 - Store records on a particular media
 - Provide complete duplication of the voluminous files of a public office
 - Provide internet access to electronic public records

Public Records Training



- The Ohio Auditor's Office is offering public records training on October 19, 2015, at the Ashtabula County Commissioner's Meeting Room from 10:00 am to 1:15 pm.
- You can register for the training at AOSTraining@ohioauditor.gov