

LICKING COUNTY
OFFICE OF TREASURER
PUBLIC RECORDS RELEASE POLICY

20 S. SECOND STREET
NEWARK, OHIO

PURPOSE: The Office of the Licking County Treasurer acknowledges that it maintains many documents and records that may be subject to inspection and/or reproduction. In accordance with state law, the County Records Commission, Licking County, Ohio, has developed a Schedule of Records Retention and Disposition (RC-2). This schedule lists the records and the period of time that the Treasurer's Office maintains them. These records are maintained for the operation and administration of the Office of Treasurer and to provide a source of information for the public it serves. It is the primary goal of the Office of Treasurer to serve the citizens in a manner of trust. These records, and the ability to have access to them, are a means to provide trust between the citizens we serve and the officials and members of the Office of Treasurer.

The Treasurer or his/her designee shall serve as the custodian of all records maintained by his/her office.

The period of time for which the Treasurer's office stores or maintains public records was determined by assessing the records administrative, legal, fiscal, or historical value, in accordance with the guidelines established in the Ohio Township, the Ohio County and the Ohio Municipal Records Manual.

PROCEDURE

I. PUBLIC RECORDS:

- A. Definition of "Records":
 - 1. Includes any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of any public office of the state of its political subdivisions which serves to document the organization, function, policies, decisions, procedures, operations, or other activities of the office.
- B. Definition of "Public Record" (As used in Section 149.43 (A)(1) of the Ohio Revised Code)
 - 1. "Public Record" means any record that is kept by any public office, including, but not limited to, state, county, city, village, township, and

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school district units, except that “public record” does not mean any of the following:

- a. Medical records;
- b. Records pertaining to probation, and parole proceedings;
- c. Records pertaining to actions under Section 2151.85 of the Revised Code and to appeals of actions arising under that section;
- d. Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the Department of Health under Section 3705.12 of the Revised Code;
- e. Information in a record contained in the putative father registry established by Section 3107.062 of the Revised Code, regardless of whether the information is held by the Department of Human Services or, pursuant to Section 5101.313 of the Revised Code, the division of Child Support in the department or a child support enforcement agency;
- f. Records listed in division (A) of Section 3107.42 of the Revised Code or specified in division (A) of Section 3107. 52 of the Revised Code;
- g. Trial preparation records;
- h. Confidential law enforcement investigatory records;
- i. Records containing information that is confidential under Section 2317.023 (2317.02.3) or 4112.05 of the Revised Code;
- j. DNA records stored in the DNA database pursuant to Section 109.573 (109.57.3) of the Revised Code;
- k. Inmate records released by the Department of Rehabilitation and Correction to the Department of Youth Services or a court of record pursuant to division (E) of Section 5120.21 of the Revised Code;
- l. Records maintained by the Department of Youth Services pertaining to children in its custody released by the Department of Youth Services to the Department of Rehabilitation and Correction pursuant to Section 5139.05 of the Revised Code;
- m. Intellectual property records;
- n. Donor profile records;
- o. Records maintained by the Department of Human Services pursuant to Section 5101.312 (510.31.2) of the Revised ;
- p. Records the release of which is prohibited by state or federal law.

II. PUBLIC RECORDS:

- A.** Each request for public records should be evaluated for a response using the following guidelines:

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1. 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 requestor in revising the request by informing the requester of the manner in which the office keeps its records.
2. 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 record. It is this office's general policy that this information is not to be requested.
3. Public records are to be available for inspection during regular business hours, with the exception of 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" 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 of the records requested.
4. 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.
5. 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 the (public office) 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:
 - a. An estimated number of business days it will take to satisfy the request.
 - b. An estimated cost if copies are requested.
 - c. Any items within the request that may be exempt from disclosure.
 - d. Public record inspection requests for the Office of Treasurer shall be directed to the Treasurer , located at 20 S. Second Street, Newark, OH.

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- e. The regular business hours for this office are 8:30 a.m. to 4:30 p.m., Monday through Friday.

III. COSTS FOR PUBLIC RECORDS

- A. Those seeking public records will be charged only the actual cost of making copies.
- B. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.
- C. The County Records Commission, with the consent of the Office of Treasurer, sets the established fees associated with providing copies of public records that are maintained by the County Treasurer's Office.
- D. Established costs/fees under this policy shall be clearly posted and visible to the public.

IV. DENIAL

- A. Any denial of public records requested must include an explanation, including legal authority. 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.
- B. If a citizen allegedly is aggrieved by the failure to obtain or view a public record maintained for the operation and administration of these offices, the citizen may:
 - 1. Contact the Treasurer. If the citizen is not satisfied with the results;
 - 2. Allegedly aggrieved citizen shall be advised that ORC 149.43 provides a legal means for addressing their complaint in these disputes.
- C. Regarding Employee Files: The Department of Human Resources for the County is directed by the Human Resource Director. All Employee Personnel Files are maintained within each Department with the exception of departments/agencies under the County Commissioners.

V. EXEMPTED AND/OR RESTRICTED INFORMATION

- A. In accordance with the Federal Privacy Act, 5 U.S.C. 552a, and further addressed in State ex rel. Beacon Journal Publication Co. v. City of Akron, 70 Ohio St. 3d 605, 640 N.E. 2d 164 (1994) and State ex rel. Beacon journal v. Kent State, 68 Ohio St. 3d 40, 623 N.E. 2d 51 (1993), no public record shall be released which contains a Federal Social Security number. Public records

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containing Federal Social Security numbers will have that information redacted prior to their release.

- B. Public records, whose release is prohibited or exempted by either State or Federal Law, shall **NOT** be subject to public inspection. The following represents a partial list of public records maintained by the County that may not be inspected or copied:
 - 1. Confidential Law Enforcement Records
 - 2. Information pertaining to medical treatment
 - 3. Trial Preparation Records
 - 4. Taxpayer Records
 - 5. Economic Development - Loans, financial statements and financial data
 - 6. Law Enforcement officers' home address during criminal trial
 - 7. Victim impact statements

VI. REDACTING EXEMPTED RECORDS/PROCEDURE

- A. After reviewing the requested record and determining that it contains non-releasable information, the releasing EMPLOYEE shall make a copy of all pages containing the excluded information.
- B. The releasing EMPLOYEE shall then place the date, initials, and the name of the requester (person seeking the information) on the reproduced page.-Unless requester has declined to provide name, etc. per 149.43 (B) (5)
- C. The releasing EMPLOYEE shall then color over the restricted information on the reproduced copy with a black marking pen in a neat manner.
- D. The releasing EMPLOYEE shall then reproduce a copy of this page, which shall be the page that is released to the requester.
- E. The first reproduction page, which is the work sheet, shall be attached to the original record, and maintained in accordance with the retention period established for the original document.

VII. VIDEOTAPES, AUDIOTAPES, AND PHOTOGRAPHS

- A. Citizens requesting copies of video and/or audiotapes are required to furnish blank recording tapes, of sufficient quality, to allow reproduction of the requested material.

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- B. Citizens requesting photographs pursuant to this policy shall be charged on the actual costs incurred by the Treasurer's Office for the reproduction of requested photographs.

VIII. E-MAIL POLICY

- A. Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.
- B. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and/or to the office's records custodian.
- C. The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

IX. A.D.A. COMPLIANCE:

- A. The Office of the Treasurer and his/her staff shall facilitate all requests made by citizens, regardless of handicap or disabilities. Employees of the Treasurer's Office authorized to release public records shall take all reasonable steps to ensure that no one is denied access to public information based on a handicap or disability.
- B. The Office of the Treasurer and its employees shall follow all standards and guidelines established by local, state and federal laws or mandates, as it pertains to the Americans with Disabilities Act, and other applicable laws.

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ADOPTED:

M. L. S. T.

Elected Official Name

9-25-07

Date