

PUBLIC RECORDS POLICY OF THE VILLAGE OF GRANVILLE LICKING COUNTY, OHIO

INTRODUCTION

It is the policy of the Village of Granville that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Village of Granville to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in the narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

Section 1 Public Records

The Village of Granville, in accordance with the Ohio Revised Code, defines records as those items that meet all of the following elements:

1. any document, device, or item, regardless of physical form or characteristic, including an electronic record;
that is created or received by, or coming under the jurisdiction of a public office; and
2. documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. This does not include records kept for our administrative convenience.

You may ask for a copy of our records retention schedule, which will familiarize you with the types of records available. All records of the Village of Granville are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Section 1.1

It is the policy the Village of Granville that, as required by Ohio Law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.

Section 2 Record Request

Each request for public records will be evaluated for a response using the following guidelines:

Section 2.1

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 requester in

revising the request by informing the requester of the manner in which the office keeps its records.

Section 2.2

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. However, when you make a request, we ask that you to complete a “Public Records Request Form,” which helps us locate the records and expedite your request. You are not legally required to fill out the form, identify yourself, or give the purpose of your request.

Section 2.3

Public records are available for inspection during regular business hours of 8:00am until 4:30pm weekdays, 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.

Section 2.4

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 roster, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be emailed or downloaded easily, these should be made available as quickly as the equipment allows.

All requests for public records must either be satisfied or be acknowledged by the Village of Granville 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:

- 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.

Section 2.5

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.

Under Ohio law, some records will be withheld from release because state or federal law makes the record confidential. Some commonly-requested records that are confidential include:

1. Attorney-client privileged information and trial preparation records
2. Social Security numbers

3. Records of ongoing investigations
4. Medical records
5. BMV records
6. Records that a judge ordered to be sealed per a statute
7. Peace officer, firefighter, EMT, prosecutor, assistant prosecutor and familial information (R.C. 149.43(A)(7))

Section 3 Costs for Public Records

Those seeking public records will be charged only for the actual cost of making copies.

Section 3.1

For copies of public records on 8.5 x 11 inch one sided paper in black ink, the copy cost is five cents per page with the first 15 pages free. We may require you to pay the estimated copy costs before copies are made. All other copies (photos, disks, etc.) will be provided at actual cost.

Section 3.2

The charge for downloaded computer files to a compact disc is \$1 per disc.

Section 3.3

There is no charge for documents sent electronically.

Section 3.4

Requesters may ask that documents be mailed to them. If records are mailed to you, we may charge postage, in advance, and the cost of mailing materials.

Section 4 Email

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. Email is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1

Records in private email accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their emails that relate to public business and to archive them to a secure location.

Section 4.2

Emails from private accounts are to be treated as public records and filed the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Acts.

Section 5 Failure to Respond to a Public Records Request

The Village of Granville recognizes the legal and non-legal consequences of failure to properly respond to a public records request.

In addition to the distrust in government that failure to comply may cause, the Village of Granville's failure to comply with a request may result in a court ordering the Village to comply with the law and to pay the requester attorney's fees and damages.

QUESTIONS OR CONCERNS

If you have questions or concerns about Ohio Public Records law, please contact your state legislator. You can find contact information at www.Ohio.gov.