



Public Records Policy Portage County Treasurer's Office

I. Purpose

The Portage County Treasurer's Office creates, uses, and maintains many documents and materials in the exercise of its official duties. Our office maintains these records as a matter of public trust and it is our desire to make them as open to inspection, reproduction, and use by the public as is practicable.

In accordance with Ohio law and the requirements of the Portage County Records Commission, the Treasurer's Office has developed a Records Retention Schedule (RC-2) to assist requesters with identifying those records and the manner in which they are kept.

II. Scope

Ohio law defines a record as "any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in R.C. 1306.01, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office." ORC 149.011(G).

Each public office in Ohio has a designated employee who serves as the custodian of records maintained by the office. For records of the Portage County Treasurer's Office, that custodian is the Treasurer or his/her designee.

The period of time for which the Treasurer's Office maintains public records varies by the type and content of the record. Our office established the timeframes contained in the Office's Records Retention Schedule in consultation with the Portage County Records Commission, Auditor of State, and Ohio Historical Society. We assessed each record for its administrative, legal, fiscal, or historical value, and assigned a retention period on that basis.

III. Fees

In accordance with ORC 149.43, the Treasurer's Office has established the following fees for providing copies or reproductions of public records maintained by the office.

1. Our office is committed to making records we maintain available for public inspection free of charge within a reasonable period of time following a request.
2. Electronic or scanned versions of records shall be made available free of charge.
3. Those seeking hard copies of public records will be charged only the actual cost of making copies. The first five pages of paper copies will be supplied free of charge.
4. Requesters seeking to have hard copies of public records mailed to them will be charged the actual cost of postage and mailing supplies (envelopes, labels, etc.).
5. Established costs/fees under this policy shall be clearly posted and visible to the public at the Treasurer's Office.

IV. Records Availability

As alluded to above, all public records maintained by the Treasurer's Office are available for public inspection at the office during regular business hours, except published holidays.

Although no specific language is required to make a request, the requester must identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records. To assist the public in this effort, our office has developed a Records Request Form requesters may use if they choose.

If it is not clear what records are being sought, the office will contact the requester for clarification (where possible), and inform the requester as to the manner in which records are kept.

Requesters are under no obligation to request records in writing, to provide a name or other identifying information, or to provide a reason for the request. That said, our office might ask for this information in an effort to assist the requester in identifying specific records responsive to the inquiry.

All requests will be answered within a reasonable period of time following the request. The reasonableness of any delay shall be determined by the facts and circumstances of each individual request. These facts and circumstances take into account the volume of records requests, the proximity of the location where the records are stored, and any legal review necessary prior to release.

Our office will acknowledge all requests in a timely manner after receipt. The acknowledgement shall include an estimate for the period of time required to satisfy the request, any anticipated costs, and any items that may be exempt from disclosure.

To maintain focus on its primary functions, the Treasurer's Office restricts the number of records that may be transmitted by mail for commercial purposes to 10 per month in accordance with ORC 149.43(B)(7).

V. Exempted and/or Restricted Information

Information in public records exempted or prohibited from release by law shall not be subject to public inspection. The following represents a partial listing of public records that we will not release this reason:

1. Confidential law enforcement records;
2. Trial preparation records;
3. Employee home addresses;
4. Taxpayer records; and
5. Economic development records, including loans, financial statements and financial data.

In accordance with the Federal Privacy Act, 5 U.S.C. 522(a), and *State ex rel. Beacon Journal Publication Co. v. City of Akron*, 70 Ohio St. 3d 605, 640 N.E. 2d 164 (1994), no public record shall be released which contains a Social Security number. Any records containing Social Security numbers will have that information redacted prior to release.

VI. Redaction Process

Our office will forward any records we reasonably believe may contain exempt or prohibited information to legal counsel for review prior to release. The requester shall be advised of this process, and the estimated time required to complete it.

In the event that otherwise releasable records are found to contain exempt or prohibited information, every effort will be made to supply the record with that information redacted.

The releasing employee will make a copy of the original record, obscure the exempt or prohibited information on the copy using a black marker or white out, and date and initial the location where the redaction was made. A copy will then be made of this redacted record and released. The original redacted copy will be attached to the original record and maintained in accordance with the Records Retention Schedule for the original document.

VII. Denials

Where a requested record is denied, the Treasurer's Office will promptly inform the requester of the reason for the denial. Requests may be denied for a number of reasons, including consisting wholly of exempted or prohibited information, involving records that have never been maintained by the office, and concerning records that are no longer maintained by the office or have been disposed of pursuant to the Records Retention Schedule or an authorized one-time disposal.

Requests may also be denied as ambiguous, or overly broad. This may be the case if the office cannot reasonably identify the specific records requested.

If a request is denied, the requester will be notified promptly of the reason for the denial (including legal authority), and offered an opportunity to revise the request

VIII. ADA Compliance

The Treasurer's Office shall facilitate requests for records without regard to handicap or disability. All reasonable steps shall be taken to ensure that no one is denied access to public information on that basis.

IX. Interpretation

It is our office's intention to answer all requests possible in good faith, and in compliance with the requirements of Ohio law. For that reason, this policy, our Records Retention Schedule, and all related documents will be interpreted and applied in an effort to conform to the standards required under Ohio law.

X. Remedies

If a requester disagrees with our office's decision regarding access to a public record, he or she shall be advised that Ohio law provides a legal means for addressing complaints. ORC 149.43(C)(1)(2).