

PUBLIC RECORDS POLICY

It is the policy of the Geauga Soil and Water Conservation District that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Geauga Soil and Water Conservation District to adhere to the state's Public Records Act. A denial of public records in response to a valid request shall be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation shall also be in writing.

Section 1. Public records

This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of, a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Geauga Soil and Water Conservation District are public unless they are specifically exempt from disclosure under the Ohio Revised Code. The Administrative Assistant has been designated as the public records officer for the Geauga Soil and Water Conservation District.

Section 1.1 It is the policy of the Geauga Soil and Water Conservation District 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 available for viewing in every department.

Section 2. Record requests

Section 2.1 Although no specific language is required to make a request, the requester must 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 officer must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

Section 2.2 The requester is not required to but may complete a *Public Information Request Form*. A *Public Information Request Form* will be completed either by the requester or by the public records officer. The form shall be completed for every request for public information.

Section 2.3 Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records will be made available for inspection promptly. Individuals who view records during business hours will be accompanied by the records officer or alternate. 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. All requests for public records shall be acknowledged in writing by the public records officer within a reasonable period of time following the offices receipt of the request. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research or legal consultation, the acknowledgement must include the following:

Section 2.4a An estimated number of business days it will take to satisfy the request.

Section 2.4b An estimated cost if copies are requested.

Section 2.4c 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 clearly visible and accompanied by a supporting explanation, including legal authority.

Section 2.6 All responses to requests for public information will be documented on the *Response to Request for Public Information* form by the public records officer. Copies of both forms and the information given in response to the request or detailed information on where a copy of the information that was given is located will be included in the Public Information Request file.

Section 3. Costs for Public Records

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

Section 3.1 The charge for monochrome paper copies is 10 cents per page. Color copies are 25 cents per page.

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 E-mailed.

Section 3.4 Requesters may ask that documents be mailed to them. In addition to copy charges, they will be charged the actual cost of the postage and mailing supplies. Documents will be mailed upon receipt of payment.

Section 4. E-mail

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. County employees shall use only county E-mail accounts to conduct public business.

Section 5. Failure to respond to a public records request

The Geauga Soil and Water Conservation District failure to comply appropriately to a public records request may result in a court ordering the Geauga Soil and Water Conservation District to comply with the law and to pay the requester attorney's fees and damages.

This policy adopted by the GSWCD Board of Supervisors with a motion as recorded in the official minutes dated 11/19/07 of the Geauga County Soil and Water Conservation District at a regularly scheduled board meeting.