

## Public Records Requests

### SUMMIT COUNTY CHILDREN SERVICES

<p><b>ORC:</b> 149.43; 2151.141; 2151.421; 3701.243; 5153.17;</p> <p><b>OAC:</b> 5101:2-33-21</p> <p><b>USC:</b> N/A</p> <p><b>CFR:</b> N/A</p>	<p><b>ORIGINAL:</b> 6/11/14</p> <p><b>REVISIONS:</b> 9/17/18; 6/8/2021</p> <p><b>RELATED FORM(S):</b> General Information Request; Post Adoption Information Request; Former Ward Information Request</p> <p><b>RELATED PROCEDURE/POLICY(IES):</b> Confidential Information/Records</p>
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| <input checked="" type="checkbox"/> Administrative<br><input type="checkbox"/> Fiscal<br><input type="checkbox"/> Human Resources<br><input type="checkbox"/> Information Technology | <input type="checkbox"/> Legal<br><input type="checkbox"/> Safety & Security<br><input type="checkbox"/> Social Services - All Departments<br><input type="checkbox"/> Social Services - Foster & Adoption |
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All Staff       Bargaining Unit       Non-Bargaining       Management

**POLICY:**

Summit County Children Services (SCCS) meets the obligations outlined under O.R.C. 149.43 for inspection and copying of public records.

**PROCEDURE:**

The Records Custodian is SCCS’ designee for overseeing compliance with requests for public records. The Records Custodian acknowledges receipt of the agency Public Records Policy anytime it is revised and also attends Sunshine Law training as mandated by the Ohio Attorney General.

Notice describing SCCS practices relative to requests for public records is conspicuously posted at the front desk reception area and the agency website. The Records Custodian ensures the notice conforms with applicable law. The Records Custodian readily provides a copy of the current records retention schedule (RC-2) and the Public Records policy to any individual upon request. Both documents are also posted on InSite and can be readily obtained by agency staff to provide upon request.

All requests for records maintained by SCCS are forwarded to the Records Custodian upon receipt. The Records Custodian reviews the request and determines if the information requested is for a public record as defined in R.C. 149.43(A). A record is not a public record if it is otherwise exempted from disclosure by state or federal law. Such records are considered confidential and may not be disclosed as public records. If the information requested is determined to be exempt from public records, the response is completed as described in the Confidential Information/Records policy and procedure. The Records Custodian maintains a record of requests and responses.

When a request for records is determined to be for a public record as defined in the Ohio Revised Code, the Records Custodian coordinates with the Division Director(s) having responsibility for the requested records to compile the response within a reasonable period of time and in accordance with the provisions below:

No Obligation to Create Records: Under Ohio law, a public office may only create records that are “necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency and for the protection of the legal and financial rights of the state and persons directly affected by the agency’s activities.” SCCS is not required to create new records to respond to a public records request, even if the request only involves compiling information from existing records.

Form of Request: No specific language is required to make a request. However, the requester must at least identify the public records requested with sufficient clarity to allow SCCS to identify, retrieve, and review the records. If it is not clear what records are being requested, SCCS may deny the request but will provide the requester an opportunity to revise the request by informing the requester of the manner in which the office keeps its records.

Clarification of Request: In order to enhance SCCS’ ability to comply with a request, SCCS may ask the requester to put their request in writing, ask for the requester’s identity, and ask about the intended use of the requested information. SCCS will first inform the requester that it is not mandatory for the requester to put a public records request in writing, provide their identity, or provide the intended use of the requested public record.

Denial of Public Records Request: Any time that SCCS denies a public records request, the agency’s reasons for denying the request will be put in writing and include legal authority. If portions of a record are public and portions are exempt, SCCS will redact the exempt portions and release the remaining portion. If there are redactions, SCCS will ensure each redaction is visible and accompanied by a supporting explanation, including legal authority.

#### Method of Response and Costs

Records will be provided within a reasonable time in one of the following manners at the discretion of the requestor:

- Copies: Copies of public records may be mailed to the requester or made available for pickup at SCCS during regular business hours. Uncertified 8½” x 11” or 8½” x 14” copies of public records are available at a cost of (10¢) per page. SCCS is not required to allow an individual to make their own copies of public records. If the requestor asks for hard copies of public records to be mailed to them, the requestor will be required to pay the cost of reproduction of the records as well as the cost of postage and other supplies used in the mailing.

- Digital Media: There will not be a cost associated reproduction of records placed on digital media, however, the requestor must pay for the form of digital media requested. The requestor is required to pay a cost of \$1.00 for a CD or \$5.00 for a pen drive. If the requestor asks for the digital media to be mailed, the requestor is required to pay the cost of postage and other supplies used in the mailing.
- E-mail: Records may be provided via e-mail without cost to the requestor.
- Inspection: Prompt inspection of the record is permitted without cost to the requester.

Prompt Inspection and Reasonable Period of Time: As used herein "prompt" means "without delay." "Reasonable period of time" means "with reasonable speed" while taking into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review and redaction of the records requested.