



Public Records Policy

Effective:	9/26/2007	4 - Records	Audience:	Everyone	
Owner:	Legal/Legislative	Certifier:	Winfree, James R.	Co-Owner(s):	None

Purpose

SERS receives public records requests from a variety of sources; including requests from the public, news media and governmental agencies. This policy establishes SERS guidelines for compliance with Ohio's Public Records Act.

Policy

1. Obligations

SERS has two primary obligations under Ohio's Public Records Act: (1) SERS must permit prompt inspection of public records; and (2) upon request, provide copies of public records within a reasonable amount of time.

The standards "prompt inspection" and a "reasonable amount of time" are judged within the context of the facts and circumstances in each individual request. Both contemplate the opportunity for legal review.

2. Requests

a. Receipt

- i. To avoid misunderstanding between SERS and the requester as to the scope of the request or identity of the public records requested, SERS may ask, but not require, that the request be made in writing. If SERS asks that the request be placed in writing, SERS will inform the requester that the written request is not mandatory, but will assist SERS in identifying the records requested and confirming that the request has been fulfilled. If the request is not made in writing, SERS will create an internal written record of the scope and date of the request.
- ii. If a request is ambiguous, SERS will notify the requester that he or she may revise their request, and also explain how records are maintained at SERS and how the records are accessed in the ordinary course of SERS' business.

b. Process

In processing the request, SERS does not have an obligation to create new records or perform new analysis of existing information. An electronic record will be deemed to exist so long as a computer is readily programmed to produce the record through simple sorting, filtering and querying. The record will be made available as a public record so long as the record is used in the regular course of SERS business and is not otherwise exempt from disclosure. SERS does not have a duty to provide records that are acquired after a request for records is complete.

c. Inspection

- i. If the requester seeks inspection of a public record, a SERS employee will accompany the requester during inspection to make certain original records are not taken or altered. Inspection is permitted during regular SERS business hours, Monday through Friday, 8:00

- a.m. to 4:30 p.m.
- ii. SERS may not charge for inspection of its records.
- d. Copies
 - i. SERS will provide copies of a public record on any medium requested so long as the medium is available as an integral part of the operations of SERS or the original record is kept on that medium. If requested, SERS will send copies of records via ordinary U.S. mail, facsimile, overnight mail or e-mail.
 - ii. SERS may require the requester to pay the actual cost of copying the records as well as any postage and mailing supplies. The current actual cost for paper records is five cents per page. A requester may be required to pay for copies prior to receiving them. In no instance shall a requester be permitted to make the copies themselves.
 - iii. SERS may not charge for employee time spent compiling records.
- e. Denials
 - i. If a request for inspection or copies of a SERS record is denied, SERS will make the denial in writing and cite legal authority for the denial.
 - ii. Should a SERS record contain information that is exempt from disclosure, SERS shall provide the requester those parts of the record that are not exempt, and clearly identify sections that have been redacted.
- 3. Publication
 - a. In accordance with Ohio's Public Records Act, SERS shall distribute this Public Records Policy to its "records custodian." The records custodian shall acknowledge in writing receipt of the Policy.
 - b. SERS shall also post this Public Records Policy (in poster form) in an area of SERS' building accessible to the public. Further, the Policy shall be placed on SERS' website and in the SERS Employee Handbook.

Definitions

A public record is defined as a record kept by a public office and is any item, not otherwise exempt, that contains information stored on a fixed medium, i.e., e-mail, paper, photos, etc., that is created, received or sent under the jurisdiction of a public office that documents the organization, functions, policies, procedures, operations, or other activities of the office.

Related Documents and Information

Statutes:	149.43, 3309.22	
Rules:	3309-1-45	
Policies:	---	

Procedures:	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
Attachments:	---	