

**PUBLIC RECORDS REQUEST POLICY  
OF  
THE NEW ALBANY COMMUNITY AUTHORITY**

**MISSION STATEMENT**

Openness leads to a better informed citizenry, which leads to better government and better public policy. It is the mission and intent of The New Albany Community Authority (the “Authority”) to at all times fully comply with and abide by both the spirit and the letter of Ohio’s Public Records Act (Section 149.43 of the Ohio Revised Code).

**DEFINING PUBLIC RECORDS**

A “record” is defined to include the following: A document in any format - paper, electronic (including, but not limited to, business e-mail) - that is created, received by, or comes under the jurisdiction of Authority and that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Authority.

A “public record” is a “record” that is being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

**RESPONSE TIMEFRAME**

Public records are to be available for inspection during regular business hours. 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, the necessity for any legal review and redaction, and other facts and circumstances of the records requested.

It is the goal of Authority that all requests for public records should be acknowledged in writing and satisfied within as prompt a timeframe as possible following the office’s receipt of the request. The Authority will further endeavor to make as many public records available as possible for review and inspection on the Authority website.

**HANDLING REQUESTS**

No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the Authority to identify, retrieve, and review the records.

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(s). However, the law does permit the

Authority to ask for a written request, the requester's identity, and/or the intended use of the information requested, but only if: (1) a written request or disclosure of identity or intended use would benefit the requester by enhancing the Authority's ability to identify, locate, or deliver the public records that have been requested; and (2) the requester is first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

In processing the request, the Authority does not have an obligation to create new records or perform a search or research for information in the office's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office's standard use of sorting, filtering, or querying features. In those instances where a requested record is available on the Authority's website, the requestor may be directed to the website as a proper means of response.

In processing a request for inspection of a public record, an Authority employee or designee may accompany the requester during inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General's website ([www.OhioAttorneyGeneral.gov/YellowBook](http://www.OhioAttorneyGeneral.gov/YellowBook)) for the purpose of keeping employees of the Authority and the public educated as to the office's obligations under Ohio's Public Records Act, Ohio's Open Meetings Act, records retention laws, and the Personal Information Systems Act.

## **ELECTRONIC RECORDS**

Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their e-mail records and other electronic records to the extent such email records constitute or meet the definition of a public record.

## **DENIAL AND REDACTION OF RECORDS**

If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the Authority cannot reasonably identify what public records are being requested, the request may be denied, but the office must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the Authority.

If the office withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the unredacted portions must be released. When making

public records available for public inspection or copying, the Authority shall notify the requester of any redaction or make the redaction plainly visible.

### **COPYING AND MAILING COSTS**

Those seeking public records may be charged only the actual cost of making copies, not labor.

A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the Authority determines that the record can reasonably be duplicated as an integral part of the Authority's normal operations.

If a requester asks that documents be delivered to them, he or she may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery. There is no charge for e-mailed documents.

### **MANAGING RECORDS**

The Authority's records will be organized and maintained in a manner such that public records can be made available for inspection and copy as required by Section 149.43(B) of the Ohio Revised Code.

### **RECORDS RETENTION SCHEDULE**

Pursuant to Section 149.43(B)(2) of the Ohio Revised Code, the Secretary of the Board, as custodian of the Authority's records, shall keep a copy of the Authority's current records retention schedule readily available to the public and a current copy of the Authority's records retention schedule shall be posted on the Authority's website.

As approved by Resolution No. 2020-3 adopted September 10, 2020 by the Board of Trustees of The New Albany Community Authority.