

SECTION 9.2: PUBLIC RECORDS POLICY

Overview

- A. It is the policy of the Board that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Board to strictly adhere to Ohio's Public Records Act.
- B. This Public Records Policy shall be posted prominently on the Public Notice Bulletin Board located in the main lobby area and on the Board's website.
- C. During each term of office, the Director, Deputy Director, or designee shall attend Ohio Public Records training that has been approved by the Ohio Attorney General.
- D. Board employees shall follow the Board of Elections Records Retention Schedule. The schedule shall be posted prominently on the Public Notice Bulletin Board located in the main lobby area of the Board office. The Document Disposal Committee, composed of the Director, Deputy Director and all Administrators, shall meet and sign-off on the appropriate Document Disposal Form prior to submitting an RC3 form to the Hamilton County Records Commission.
- E. The Director and Deputy Director shall designate a representative to attend Hamilton County Records Commission meetings on their behalf.

Record requests

- F. Each request for public records should be evaluated for a response using the following guidelines:
 - 1. Although no specific language is required to make a request, the requester must, at a minimum, identify the records requested with sufficient clarity to allow Board staff to identify, retrieve, and review the records. If it is not clear what records are being sought, the employee must contact the requester for clarification. Any questions regarding requests, including what can and cannot be released or redacted, shall be directed to the employee's Administrator, Director or Deputy Director, who may seek assistance from the County Prosecutor's office.
 - 2. The requester is not required 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. However, the Board encourages requestors to submit the requests in writing in an effort to prevent any misunderstanding as to the records the requestor is seeking.
 - 3. Public records are to be available for inspection during regular business hours, with the exception of published holidays. 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" shall take into account the volume of records requested; the

proximity of the location where the records are stored; the necessity for any legal review of the records requested and the current election cycle.

4. Any request for inspection of sensitive documents, e.g. ballots, must be conducted in the presence of two Board employees, one from each major political party, who will maintain control of the documents throughout the inspection. The requestor shall not touch sensitive documents.
5. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately, if feasible to do so. Routine requests include, but are not limited to, archived election results, meeting minutes, forms and applications, etc.
6. 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 accompanied by a supporting explanation, including legal authority.
7. In response to a public records request, a maximum of 10 public records per month will be delivered in a digital format, unless the requested records are not provided on the website and unless the requestor certifies in writing that the requestor does not intend to use or forward the requested records, or the information contained in them for commercial purposes.

Costs for Public Records

- H. Those seeking public records will be charged only the actual cost of making copies.
 1. The charge for routine paper copies is 5 cents per page (2-sided copies are counted as one page). There is no charge for the first ten pages.
 2. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

Personnel Files

- I. The HR Officer shall be the official custodian of personnel files for all Board of Elections employees.
- J. Personnel records will be kept confidential to the extent permissible by the Ohio Public Records Act.
- K. An employee may review his/her official personnel file in the presence of the HR Officer and copy any documents in the file at no charge. The employee may also attach letters of explanation to documents where the employee feels such explanation is necessary.

- L.** For employment verification purposes, the HR Officer may release an employee's name, job title, employment dates, and salary information. The HR Officer must consult with the Director or Deputy Director before releasing any additional information on current or former employees.

- M.** Employees must advise the HR Officer of any changes in their personal information or status (e.g. name, address, marital status, telephone number, number of exemptions for tax purposes, citizenship, or association with any governmental military service organization).