

GMHA Public Records Policy

Introduction:

It is the policy of Greene Metropolitan Housing Authority that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of GMHA to strictly adhere to the state's Public Records Act. All exemptions to openness are construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

Section 1 Public Records

This office, in accordance with the Ohio Revised Code, Section 149.43 defines records as the following: Any document – paper, electronic (including but not limited to, email 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 Greene Metropolitan Housing Authority are public unless they are specifically exempt from disclosure under the Ohio Revised Code, Section 149.43. Medical records, police reports, and other similar information contained in a client's file or an employee's personnel file are confidential and exempt.

Section 1.1 It is the policy of Greene Metropolitan Housing Authority that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the email record policy). Record retention schedules are to be updated regularly and posted prominently.

Section 2. Records Request

Each request for public records should be evaluated for a response using the following guidelines:

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

Section 3 Cost of records

Section 3.1 The charge for paper copies is 25 cents per page.

Section 3.2 The charge for downloaded computer files to a Flash drive is \$5 per drive

Section 3.3 There is no charge for documents e-mailed

Section 3.4 Requesters may ask that documents be mailed to them. They will be charged the actual cost of postage and mailing supplies.

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. **Email correspondence from GMHA's attorney regarding tenants, participants, applicants, and employees are considered confidential under Ohio state law.**

Section 4.1 – Records in private email accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their e-mails that relate to public business (see Section 1 Public records) and to copy them to their business e-mail accounts and/or to the office's records custodian. **E-Mail used for other than public purposes is not considered as public record.**

Section 4.2 – The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them for **30 days** and making them available for inspection and copying in accordance with the Public Records Act.

Section 5. Failure to respond to a public records request

Greene Metropolitan Housing Authority recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, Greene Metropolitan Housing Authority's failure to comply with a request may result in a court ordering Greene Metropolitan Housing Authority to comply with the law and to pay the requester attorney's fees and damages.