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501(3)(C) Non- Profit Organization



## **Policy for Public Records**

It is the policy of the Trumbull County Agricultural Society to remain open to the public and to keep the members of the Society, as well as, the citizens of Trumbull County informed. It is our policy to strictly adhere to the state's Public Records Act. All exemptions to openness are to be 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 if necessary, 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, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), 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.

#### **Section 1.1**

It is the policy of the Trumbull County Agricultural Society that, as required by Ohio laws, records will be organized and maintained so that they are readily available for inspection and copying. (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

### **Section 2. Record requests**

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 help the requester in revising the request by informing the requester of the manner in which the office keeps its records. In processing the request, the office does not have an obligation to create new records or perform new analysis of existing information.

#### **Section 2.2**

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. It is this office's general policy not to request this information, but that the requester complete a public records request form once the copies requested have been received and paid for.

#### **Section 2.3**

Public records are to be available for inspection during regular business hours, with the exception of published holidays and during fair week, if it causes confliction with the flow of the costumers. In processing a request for inspection of a public record, an office employee must accompany the requester during inspection to make certain original records are not taken or altered. 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; and the necessity for any legal review of the records requested.

## **Section 2.4**

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, meeting minutes (both in draft and final form), membership list, budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

All requests for public records must either be satisfied (see Section 2.4) or be acknowledged in writing by the Trumbull County Agricultural Society within three (3) business days following the office's receipt of the request. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

**Section 2.4a** – An estimated number of business days it will take to satisfy the request.

**Section 2.4b** – An estimated cost if copies are requested.

**Section 2.4c** – Any items within the request that may be exempt from disclosure.

## **Section 2.5**

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. The redactions should be accompanied by a supporting explanation, including legal authority if necessary, as to why the redaction was made.

## **Section 3. Costs for Public Records**

Those seeking public records will be charged only the actual cost of making copies.

**Section 3.1** The charge for paper copies is 5 cents per a single sided page.

**Section 3.2** There is no charge for documents that can be e-mailed.

**Section 3.3** Requesters may ask that documents be mailed to them. This office may request that the requestor pay in advance the cost of postage or costs incurred for other supplies used in the mailing, delivery, or transmission.

## **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.

**Section 4.1** Records in private e-mail accounts used to conduct public business are subject to disclosure, and all directors, employees or representatives of the Trumbull County Agricultural Society are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to print a copy of them and give to the Trumbull County Agricultural Society records custodian for filing.

**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 per established schedules 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**

The Trumbull County Agricultural Society 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, the Trumbull County Agricultural Society's failure to comply with a request may result in a court ordering the Trumbull County Agricultural Society to comply with the Public Records Act.