

WAYNE METROPOLITAN HOUSING AUTHORITY

PUBLIC RECORDS POLICY

I. Purpose:

The Wayne Metropolitan Housing Authority (“WMHA”) acknowledges that it maintains many records that constitute “public records” under Ohio’s Public Records Law. The Records maintained by the WMHA and ability to access them are a means to provide trust between the public and WMHA. The purpose of the Public Records Policy (“Policy”) is to set forth the policies and procedures employed by WMHA for receiving and responding to request for public records.

II. Scope:

- A. As defined in the Ohio Revised Code and as applicable to WMHA, a “public record” is any “document, device, or item, regardless of physical form or characteristic, including an electronic record” that is kept by WMHA and which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of WMHA.
(R.C. 149.011(G); R.C. 149.43(A)(1).)
- B. Certain records are not public records or are exempt from disclosure under the Public Records Law. The following represents a partial list of records maintained by WMHA that may not be inspected or copied:
 1. Employee medical records;
 2. Social Security numbers;
 3. Certain communication between WMHA and its’ attorney(s), as well as records compiled in anticipation of or in the course of litigation;
 4. Records, the release of which is prohibited by state or federal law;
- C. The Executive Director or designee serves as custodian of all records maintained by WMHA.
- D. This Policy shall be placed in WMHA’s policies and procedures manual, and shall be available at WMHA’s central office, located at 345 North Market Street, Wooster, Ohio.
- E. A Copy of WMHA’s current records retention schedule is available at WMHA’s central office, located at 345 North Market Street, Wooster, Ohio.
- F. WMHA displays a poster which generally describes this Policy at its central office, located at 345 North Market Street, Wooster, Ohio.

III. Request For Records:

- A. Any person (the “Requester”) may request public records held by WMHA and will be allowed prompt inspection and copies within a reasonable amount 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.
- B. It is WMHA’s policy to request that public records be made by submitting a completed Public Records Request Form, which is available at WMHA’s offices. However, a written public records request is not mandatory and the Requester may decline to provide his or her identity or intended use. WMHA may require a written request or disclosure of the identity or intended use where such information would benefit the Requester by enhancing WMHA’s ability to identify, locate, or deliver the public records sought by the Requester.
- C. Although no specific language is required to make a request, the Requester must at least identify the records requested with sufficient clarity to allow WMHA to identify, retrieve and review the records. If WMHA cannot tell from the request what records are being sought, WMHA will contact the Requester for clarification, and will assist the Requester by informing the Requester of the manner in which WMHA keeps its records.
- D. The Requester may choose to have the public record duplicated upon paper, upon the same medium upon which WMHA keeps it, or upon any other medium upon which WMHA determines that it reasonably can be duplicated and, where a Requester makes such a choice, WMHA will provide a copy in accordance with that choice.
- E. In the event WMHA receives a request to inspect and/or obtain a copy of a record maintained by WMHA, the release of which may be prohibited or exempted by either state or federal law, the request shall be forwarded to legal counsel for WMHA for research and/or review.
- F. Records, the release of which is prohibited or exempted by either state or federal law, or which are not considered public records as defined in R.C. 149.43, shall NOT be subject to public inspection or copying.

IV. Responses To Public Records Requests:

- A. If WMHA receives a request for a record that it has never maintained or that it no longer maintains or that it has disposed of pursuant to its records retention schedule, WMHA will notify the Requester of the fact. WMHA is under no obligation to create records to meet public records requests.
- B. If WMHA receives a request that is ambiguous or overly broad, or if WMHA for any reason cannot reasonably identify what public records are being requested, WMHA may deny the request. WMHA will, however, provide the Requester with an opportunity to revise the request and will inform the Requester of the manner in which records are ordinarily maintained and accessed.
- C. If WMHA receives a request for records, the release of which is prohibited or exempt by either state or federal law, or which are not considered public records as defined in R.C 149.43, WMHA will deny the request.
- D. If WMHA denies the request, in whole or in part, for any of the above reasons, WMHA will provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, then WMHA will provide the explanation in writing.
- E. If a requested public record contains information that is exempt from disclosure under the Public Records Law, WMHA will make available the information within the public record that is not exempt by redacting the exempt information and providing the record as redacted. "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in R.C. 149.011. Except where redactions are plainly visible on the document as redacted, WMHA will notify the requester of any redaction.
- F. If any Requester is aggrieved due to the inability to inspect a public record or due to the inability to receive a copy of a public record, the Requester may contact the Deputy Director, R.C. 149.43 provides a legal means for addressing complaints.

V. Fees:

WMHA has established the following fees for providing copies or reproductions of public records maintained by WMHA:

- A. For photocopies of either letter or legal size documents, the fees shall be \$.09 per sheet, calculated from the first sheet photocopied, if photocopied in-house by WMHA, or the amount charged to WMHA by a commercial reproduction company. Two-sided photocopies shall be charged at a rate of \$.18 per sheet if photocopied in-house by WMHA, or the amount charged to WMHA by a commercial reproduction company. WMHA shall have complete discretion to determine whether photocopies will be made in-house or will be made by a commercial reproduction company. Advance payment is required before any copies are prepared if practical, and in all cases before the copies are provided to the Requester.
- B. For Videotapes, cassette tapes or for any other type of media, the fee shall be the replacement cost or the reproduction (copying) cost. Reproduction costs may only be charged if a commercial or professional service is contracted to provide the copy.
- C. WMHA may also charge for the actual cost of the postage and mailing supplies required to mail requested records.
- D. Where feasible, documents may be e-mailed at no charge.