



**Perry Township Public Records Policy
Perry Township Board of Trustees
Stark County, Ohio**

Adopted pursuant to Ohio Revised Code §§149.31–149.43.

1. Purpose and Policy Statement

It is the policy of the Perry Township Board of Trustees that openness leads to a better-informed citizenry, which leads to a more transparent government and sound public policy.

Perry Township will fully comply with the Ohio Public Records Act (Ohio Revised Code §149.43) and all other applicable state and federal laws governing access to public records.

Ohio law requires public offices to:

- Promptly prepare and make public records available for inspection; and
- Provide copies of public records within a reasonable period of time.

This policy establishes the procedures Perry Township will follow in responding to requests for public records.

2. Definition of Public Records

Under Ohio Revised Code §149.011(G), a public record is defined as:

Any document, device, or item, regardless of physical form or characteristic, including an electronic record, that:

- a) Is created or received by, or comes under the jurisdiction of, Perry Township; and
- b) Documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Township.

Public records may exist in many formats, including:

- Paper documents
- Electronic files
- Emails
- Text messages
- Audio or video recordings
- Social media content
- Photographs
- Databases

A public office is not required to create new records to respond to a request, even if the information requested could be compiled from existing records.

3. Records Custodian

The Perry Township Fiscal Officer shall serve as the official records custodian for the Township.

The Fiscal Officer may designate appropriate township staff to assist in maintaining records and responding to public records requests.

Each department head is responsible for maintaining the records generated within their department in accordance with the Township's approved records retention schedule.

4. Public Records Requests

Public records may be requested in the following ways:

- In person
- By telephone
- By mail
- By email or other electronic means

Requests do not need to be submitted in writing, and the requester is not required to provide their name or the intended use of the records. However, the requester must provide sufficient information to reasonably identify the records being requested.

If a request is ambiguous or overly broad, the Township may request clarification from the requester. The Township will provide the requester with an opportunity to revise the request by informing the requester of the manner in which the records are maintained and accessed.

5. Inspection of Records

Public records will be made available for inspection during normal business hours:

Monday through Friday
9:00 a.m. – 3:30 p.m. excluding legal holidays

Records will be made available promptly in accordance with Ohio Revised Code §149.43. Inspection of records will occur under reasonable supervision to preserve the integrity of the records.

6. Copies of Public Records

Copies of public records will be provided within a reasonable period of time.

Copies may be provided in the following formats when available:

Paper copies
Electronic copies
Digital storage media

Records will generally be provided in the format in which they are maintained. The Township is not required to convert records into a different format if doing so would require creating a new record.

7. Fees for Copies

Fees for copies of public records are limited to the actual cost of reproduction.

The current fee schedule is:

Black and white paper copies: \$0.08 per page
Color copies: \$0.15 per page
Mailing costs: Actual postage cost
Electronic media (USB drive, CD, etc.): Actual cost of media
Video records may be charged at the actual cost incurred by the Township to prepare the video record for inspection or production, including retrieval, review, redaction, processing, and reproduction, not to exceed \$75 per hour of video prepared or \$750 total, in accordance with Ohio Revised Code §149.43(B)(1).

The Township may require advance payment of estimated actual costs before producing copies or preparing video records. There is no charge for inspection of records.

8. Redaction and Denial of Records

If a requested record contains information that is exempt from disclosure under state or federal law, the Township will:

- Redact the exempt information; and
- Release the remainder of the record.

Each redaction will clearly identify the legal authority for withholding the information. If a request for records is denied in whole or in part, the Township will provide an explanation, including the legal authority supporting the denial, in accordance with Ohio Revised Code §149.43.

9. Exempt Records

Not all township records are public records.

Certain records are exempt from disclosure under Ohio or federal law. Examples include, but are not limited to:

- Attorney-client privileged communications
- Records sealed by court order
- Medical records
- Federal tax information
- Confidential law enforcement records
- Infrastructure security records
- Personal identifying information protected by law
- Peace officer residential and familial information

Exemptions to the Public Records Act will be narrowly construed in favor of disclosure.

When necessary, the Township may seek legal review before determining whether an exemption applies.

10. Electronic Communications

Electronic communications that document township business may be public records.

This includes:

- Emails
- Text messages
- Instant messages
- Social media communications

Electronic records must be retained in accordance with the Township's records retention schedule, regardless of whether they are transmitted using Township-issued or personal devices.

11. Social Media Records

Content posted to official township social media accounts may constitute public records.

Examples include:

- Posts and announcements
- Comments and replies
- Messages received through social media platforms

The Township will retain social media content in accordance with its records retention schedule.

12. Records Retention and Disposition

All Perry Township records shall be maintained and disposed of in accordance with the Records Retention Schedule (RC-2) approved by the Perry Township Records Commission and the Ohio History Connection Local Government Records Program, as required by Ohio law. The Township also seeks to align its records management practices with guidance provided in the [Ohio Auditor of State Township Handbook](#) where consistent with applicable law.

Records may not be destroyed unless:

The retention period has been met;

All audits have been completed and resolved; and

The destruction has been approved through the proper records disposition process.

No records shall be destroyed if they are subject to a pending public records request, audit, litigation, or reasonably anticipated legal action.

13. Records Commission

Pursuant to Ohio Revised Code §149.42, Perry Township maintains a Records Commission responsible for reviewing and approving records retention schedules and disposal of public records.

The Records Commission consists of:

The Chair of the Board of Township Trustees

The Township Fiscal Officer

The Township Administrator

Police Chief

The Records Commission shall meet at least once annually and review the records retention schedule at least every five years.

14. Public Records Training

In accordance with Ohio Revised Code §109.43, all elected officials or their designees must complete public records training provided by the Ohio Attorney General or an approved program.

Township employees responsible for maintaining records shall also receive appropriate training regarding public records compliance.

15. Posting of Policy

A copy of this Public Records Policy shall be:

Posted in a conspicuous location in the Township offices;

Included in the Township employee handbook or policy manual; and

Posted on the Township website.