



Franklin County Public Health
 280 East Broad Street
 Columbus, Ohio 43215-4562
 (614) 525-3160
 www.myfcph.org

Public Records Policy

Policy Name	Policy Number	Date	Original or Amended?
Public Records Policy	D-0001	10/11/2011	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Original
		8/9/2016	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Original
		8/ 19 /2022	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Original

Rationale

This policy is not intended to cover every possible request that may be received but should serve as a guide as to how to properly respond to public records requests. As a government office, it is the responsibility of Franklin County Public Health (FCPH) to maintain and provide all applicable records to the public when requested. [All FCPH employees are required to take the Public Records training every five years \(see details on Bamboo HR\).](#) Questions relating to the release of records should be directed to [the Director or Administrative Assistant in the Office of Communication & Marketing Alycia Burkitt or Mitzi Kline.](#)

Staff who do not properly maintain records and respond to public records requests will be subject to disciplinary action.

FCPH Responsibilities:

- 1) Provide a prompt inspection of public records.
- 2) Upon request, provide copies of records requested within a reasonable period of time.

Policy Details

Prompt is not necessarily immediate, but requests should be filled as soon as reasonably possible. If records are in archive storage it will take one day to request and receive the box and then time to locate the record. Same day requests for boxes from archive storage are available if absolutely necessary but should not be common practice due to the fact that it costs significantly more.

~~Be up front with the requestor and give them an approximate time frame as to when they will receive the records they have requested. Consult with your supervisor, Alycia Burkitt or Mitzi Kline to determine what an acceptable timeframe would be if you have questions.~~

Reasonable means reasonable. There is no specified time period under Ohio law. It is important to note that records requests are equal to your other job duties – not less important. It is the policy of [Franklin County Public Health FCPH](#) that records requests should take priority and be filled as quickly as possible.

How To Determine What Is A Public Record

Public Records should meet the following three criteria:

- 1) It is stored on a fixed medium (paper, computer, tape, video, film, etc.);
- 2) It was created, received or sent under the jurisdiction of a public office; and
- 3) It documents what the office does.

[FCPH Franklin County Public Health](#) is not required to create a record that does not exist. It is [FCPH's Franklin County Public Health's](#) responsibility and duty to liberally release records and staff should not deny requests unless absolutely necessary due to exceptions under law.

Records Not Subject to Release

- 1) If a record pertains to a patient's medical condition or their medical record and was generated in the process of medical treatment it should not be released.
- 2) A record that contains information that was specifically compiled in reasonable anticipation of litigation does not have to be released. There is also an investigation exception that protects work product specifically relating to a case until the case is closed. In this situation, consult with legal counsel representing us on the case for issues relation to disclosure.
- 3) Infrastructure records that include the configuration of a public office such as: communication and computer, electrical, mechanical, ventilation, water and plumbing, and security codes do not have to be released. Infrastructure records are not simple floor plans that disclose only the spatial relationship of a public office or building.
- 4) Security records do not have to be released. A security record is:
 - Information used for protecting or maintaining the security of a public office against attack, interference or sabotage.
 - Assembled, prepared, or maintained to prevent, mitigate or respond to acts of terrorism including any of the following:
 - Specific and unique vulnerability assessments or response plans;
 - Specific intelligence information;
 - National security records

It is important to note that parts of these records may need to be released and parts may not. Work with [the Director or Administrative Assistant in the Office of Communication & Marketing Mitzi Kline](#) to determine what information should be redacted and how to do it.



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Release of Public Records Policy

Important Things to Note

- 1) Thoughts or conversations cannot be requested as a public record.
- 2) Minutes are considered public records immediately after they are taken (even in draft form). They do not have to be signed or approved prior to being released but should be stamped "draft".
- 3) Names of complainants are NOT protected.
- 4) It is not our job to figure out what the requestor wants but it is the policy of [FCPH the Franklin County Public Health](#) that every effort should be made by staff to accommodate every request that is received.

Incident Reporting

If records are lost, accidentally destroyed, or are corrupt electronic records, staff must immediately report that to their Supervisor. The Supervisor ~~of the program~~ must work with staff to document what happened on an FCPH Incident Report form. Once completed, a copy should go to Human Resources and second copy to ~~Alycia Burkitt~~ [the Administrative Assistant in the Office of Communication & Marketing](#) to be kept with our original retention schedule. This incident report will be kept until the retention period for said records has passed. Failure to report lost, accidentally destroyed or corrupt electronic records may result in disciplinary action.

Storage and Proper Disposal of Public Records

Storage and proper disposal of FCPH public records is essential and is a responsibility of every employee.

~~FCPH Franklin County Public Health~~ has a records retention schedule that has been approved by the Franklin County Records Commission and the Ohio History Connection. The schedule is updated periodically ~~so we have different schedules dating back to 1991. All and can be found on schedules are posted on~~ the Employee Portal in the Public Records section. All FCPH records must be kept for the period of time identified in the schedule for the time period of the record.

Once the retention time period has passed the records may be destroyed. However, a specific process must be followed and approval given before any disposal can take place. Disposal of records without prior approval or that still fall within the required retention period may result in disciplinary action. See the procedure section for details.

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Policy Review

This policy will be reviewed every five years. The next revision will take place in August 2027+.

Approval Signature(s)

Printed Name	Title	Signature	Date



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Procedures

Procedures for Release of Public Records – August 19, 2022

Steps To Follow Once A Public Record Request Is Received

- 1) ~~FCPH uses a software called NextRequest to manage public records requests.~~ Ask the requestor to ~~fill out~~ submit their request using the link on the FCPH website ~~the Public Records Request Form.~~
Please note: Requestors are NOT required to fill out the form (or put the request in writing at all). They are also NOT required to provide their name or provide the reason for their request. If they decline to provide the information or fill out the form, the employee should complete the form with whatever information they have that they are given from the requestor.
- 2) ~~Explain to the requestor that the record will be provided in a prompt manner. Give an estimated date so they know when to expect the records. If you need to find the answer let the requestor know that you will get back to them with the information. Be sure you follow up or provide Alycia Burkitt with the information and she will follow up. All records requests are received by the Office of Communication & Marketing. Once a request for a record is received it will be routed to the proper division or section.~~
- 3) ~~It is program section staff's responsibility to compile the records requested and load them into the NextRequest records software. The Administrative Assistant in the Office of Communication & Marketing, Alycia Burkitt, who coordinates the FCPH Franklin County Public Health records, is available to assist. If you need help determining if the record is considered public, or if details (such as medical information) should be redacted/excluded see the Director of the Office of Communication & Marketing, Mitzi Kline. You should also notify your supervisor of the request.~~
- 4) Once ~~section staff loads the requested records into the NextRequest software, they will be officially released to the requester by the Office of Communication & Marketing. you have gathered the requested records, give the completed request to Alycia Burkitt who will release the record to the requestor and keep appropriate information for our records.~~ This will assure consistency of the Franklin County Public Health Records Policy.

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Charge for ~~FCPH Franklin County Public Health~~ Records

~~FCPH Franklin County Public Health~~ may not charge for staff time to provide records. ~~While most records are released electronically, it~~ is the policy of ~~FCPH Franklin County Public Health~~ that the first one hundred (100) copies are free ~~if the requestor specifically requests to receive the records in that format.~~ Any copies above one hundred (100) are \$0.05 each. If copies of an audio or videotape are requested, ~~FCPH~~ may only charge what it cost us to duplicate the medium. ~~The Office of Communication & Marketing will work through that process and will. Work with Alycia Burkitt to determine that cost. Before duplication is done or large copy requests are completed you should~~ notify the requestor of the estimated cost.

It is permissible to require payment up front but should not be common practice. Payment is due from the requestor prior to the release of the records. [FCPH Franklin County Public Health](#) is not required to provide copies (over 100) free of charge to persons who are unable or unwilling to pay for them.

~~Franklin County Public Health must mail copies of public records by U.S. Mail (not FedEx, UPS or courier) if so requested. Records may also be released via email, fax or directly to the requestor.~~

If the requestor does not want copies but asks to look through actual files, it is the policy of [FCPH Franklin County Public Health](#) that a staff member [from the division or section](#) will pull the records and sit with the requestor during their review. ~~This type of review of our files cannot be declined. We cannot decline this type of review of our files. The Office of Communication & Marketing will work with Alycia Burkitt to~~ coordinate the requestor's review [with the appropriate FCPH staff member.](#)

Procedures for Storage and Disposal of Public Records – August ~~19, 2022~~16

Record Storage

- 1) Find the proper retention schedule for the record that is ready to be stored. Retention schedules ~~dating back to 1991~~ can be found on the FCPH Employee Portal in the Public Records section. All records **must** be kept for the period of time identified in the schedule for the time period of the record.
- 2) If it is determined that records need to be kept and there is no room at FCPH we have off-site records storage with Iron Mountain.
- 3) Work with [the Administrative Assistant in the Office of Communication & Marketing Alycia Burkitt](#) for instructions on how to box and label items for storage.
- 4) If you have a box of records that is already in storage, and you need to have it brought back to FCPH please request it from [the Administrative Assistant in the Office of Communication & Marketing Alycia Burkitt](#).

Proper Disposal

Once the retention time period has passed the records may be destroyed. However, a specific process must be followed and approval given before any disposal can take place. Disposal of records without prior approval or that still fall within the required retention period may result in disciplinary action. See the procedure for proper disposal of records on the Employee Portal. Do not dispose of any FCPH records without a completed and approved destruction request form. See your supervisor or [the Administrative Assistant in the Office of Communication & Marketing Alycia Burkitt](#) for details.

Date Reviewed 8/4/2016	Changes Made? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Reviewed By Mitzi Kline	Approved By Susan Tilgner
Employee Acknowledgement Required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Date Notified 8/12/2016	Notified By? Mitzi Kline
How notified? <input checked="" type="checkbox"/> Email <input type="checkbox"/> Signature Sheet Required			

Date Reviewed Click here to enter a date.	Changes Made? <input type="checkbox"/> Yes <input type="checkbox"/> No	Reviewed By	Approved By
Employee Acknowledgement Required? <input type="checkbox"/> Yes <input type="checkbox"/> No		Date Notified Click here to enter a date.	Notified By?
How notified? <input type="checkbox"/> Email <input type="checkbox"/> Signature Sheet Required			