

Public Records Requests Quick Reference Guide

Ohio Revised Code 149.43A defines “Public Records” as information stored on a fixed medium (tapes, emails, photos, films, videos, papers, etc.), that are created or received by, or come under the jurisdiction of, a public office, and document the official duties of the public office: **the organization, functions, policies, decisions, procedures, operations, or other activities of the office.**

Some Common Exceptions to the Required Release of Public Records (this is not an exhaustive list):

1. Student educational records (such as grades, schedules, ID Numbers, email addresses or ethnicity).
2. Medical records.
3. Employee’s personal information (such as social security numbers; home address; medical and beneficiary information; and certain payroll deductions; and home, residential and familial information of certain employees such as safety officers).
4. Criminal History information obtained from the federal National Crime Information Center system (NCIC) or through the state Law Enforcement Automated Data System (LEADS).
5. Confidential law enforcement investigatory records (CLEIRs), which may be internal investigative records that may include names of uncharged suspects, confidential sources, techniques, or investigatory work product.
6. Security and infrastructure records used for protecting or maintaining the security of a public office (such as its communications, computer, electrical, mechanical, or security systems).
7. Certain confidential trade secrets (such as business information or plans, or financial information).
8. Records prohibited from being released by state or federal law – often referred to as the “catch-all” exception (such as the Family Educational Rights and Privacy Act [FERPA], Health Insurance Portability and Accountability Act [HIPAA], etc.).

A public office has no obligation to create new records, store records on a particular media, provide duplication of voluminous files or provide internet access to electronic public records.

If a request is denied in part (redactions within a document), or in whole (entire document), an explanation must be provided of why the request was denied, including legal authority.

Compliance can be a complex matter.

All Public Records Requests must be reviewed by Legal Counsel.