



PUBLIC RECORDS POLICY

Revised 8.13.2008



PUBLIC RECORDS POLICY

The orderly acquisition, storage and retention of records and reports are essential for the overall efficient and effective operation of the Western Ohio Computer Organization. The WOCO Board establishes a Records Commission to govern matters pertaining to records, their retention and disposal.

Local Records Commission

The Records Commission shall consist of the Board President, WOCO Treasurer, and Executive Director. The Executive Director shall serve as chairman/secretary of the Records Commission. The members of this commission shall appoint necessary records officers to carry out the necessary work associated with organizational records.

WRITTEN RECORDS AND DOCUMENT MANAGEMENT GUIDELINES

WOCO will maintain a current inventory of records maintained, a schedule of Records Retention and Disposition, and "written record and document management guidelines".

Please note that these guidelines pertain to records maintained by and for the operation of the Western Ohio Computer Organization (WOCO). As a part of the services provided by WOCO, the agency retains public records for member school districts. Each district has its own local records commission that oversees the records retention policy; and each district is responsible for ensuring that the district complies with local records law. All data acquired on behalf of school districts is held in trust for those districts. Any transfer or release of school district data requires prior authorization from that district. Ohio Adm. Code 3301-3-06.

WHAT IS A PUBLIC RECORD?

A public record is a record held by a public office. "Records" includes any document, device, or item, regardless of physical form or characteristic,¹ created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

WHAT RECORDS MUST WOCO KEEP?

Under Ohio Law, a public office may only create records that are "necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and for the protection of the legal and financial rights of the state and persons affected by the agency's activities." ORC 149.40² A written disaster recovery plan will be maintained by WOCO for the protection of all records it maintains.³

A public office is not required to create new records to respond to a public records request, even if it is only a matter of compiling information from existing records. However, if a public office's computer is already programmed to produce the record described by the requester, the record already exists for purposes of R.C. 149.43.

¹ E-mail messages are electronic documents created and sent or received by a computer system. This definition applies equally to the contents of the communication, the transactional information, and any attachments associated with such communication. Thus, e-mail messages are similar to other forms of communicated messages, such as correspondence, memoranda, and circular letters. Source: Ohio Electronic Records Commission, Managing Electronic Mail Guidelines for State of Ohio Executive Agencies, <http://www.ohiojunction.net/erc/email/emailguidelines.html>

² Records will be stored in a manner such that they will be protected from excessive heat and humidity or by vermin infestation, safe from floods, fire, and theft. Storage and access will be compliant with federal guidelines established under the Americans with Disabilities Act.

³ (This plan is currently under revision)



CONFIDENTIAL RECORDS NOT SUBJECT TO PUBLIC REVIEW

All public records fall under one of three categories:

- 1) Public records that must be disclosed, with no exception
- 2) Public records that are exempt from disclosure - do not have to be disclosed, but it may if the public office chooses to do so without fear of punishment under the law.
- 3) Public records that must not be disclosed - highly confidential records which must not be disclosed and whose release is prohibited by law

The following records must not be released:

- *Attorney-client privileged information
- *Criminal background information
- *Trade secrets
- *Mediation communications
- *Student education records and other personally identifiable student information -except for "directory information" (FERPA, 20 U.S.C.1232g; ORC 3319.321)
- *Information pertaining to the recreational activities of a person under the age of 18
- *Infrastructure records: {records that disclose the configuration of "critical systems", such as computer, electrical, mechanical, ventilation, water, plumbing, or security systems. This does not include simple floor plans. }
- *Security records: any records containing information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage or to prevent, mitigate, or respond to acts of terrorism. (For a complete list, see the Auditor's Office "Ohio's Open Government Resource Manual" - January 2004.)
- *Child abuse reports
- *Sealed records
- *Social security numbers
- *Medical records

(The above list is not exhaustive.)

HOW AND WHY CERTAIN INFORMATION MAY BE REMOVED FROM RECORDS BEFORE PUBLIC INSPECTION - REDACTING

When faced with a record that, in part, contains information that is not subject to public disclosure, the public office should redact the exempt portion of the record (rather than withhold the entire record); the remainder of the record must be disclosed. The person seeking to inspect or copy the record would either be notified regarding any redaction, or, when possible, the redaction would be made plainly visible. An explanation for the redaction must be provided to the requesting party, including legal authority. ORC 149.43 (B)(1),(3).

HOURS WHEN RECORDS ARE AVAILABLE FOR INSPECTION

Records will be available for inspection during WOCO's normal business hours (8:00 a.m. to 4:00 p.m.). Records will be made available without undue delay and within a reasonable period.

COST FOR OBTAINING RECORDS

There is no charge for inspection of public records. Copies will be charged at the actual rate of providing the copies. Charges will also be made for the actual cost for the cost of mailing supplies and postage. All copies will be made by a designated employee of WOCO. Prepayment for the cost of copies and mailing will be required. The person requesting the record(s) may choose the medium upon which they would like a record to be duplicated from these choices: 1) on paper, 2) in the same form as the public office keeps it, or 3) on any medium upon which the public office determines the record can "reasonably be duplicated as an integral part of the normal operations of the public office." ORC 149.43 (B)(2).

REQUESTING RECORDS

Any person, corporation, individual, or governmental agency may request public records. The person does not have to be an Ohio resident. WOCO will not limit or condition the availability of records based upon the requestor's identity or the intended use of the requested record, unless permitted by law to do so. The request does not have to be in writing, nor does the requestor need to identify him or herself, though in situations where the identity of the individual or the intended use of requested information would enhance the ability of WOCO to comply with the request, WOCO may ask for this information, but would notify the requestor that s/he is not required to disclose it. The person seeking the records may designate someone else to inspect or retrieve copies. A request must be specific and describe what is being sought. If the request is ambiguous or overly broad, or WOCO staff cannot reasonably identify the public records being requested, the requestor would be

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notified and given an opportunity to revise the request. If a request for public records is ultimately denied, WOCO would provide the requester an explanation of the reasons for the denial, including legal authority. A limit of ten records per month will be sent to any one commercial requester. WOCO will mail copies via U.S. postal service upon request.

STEPS FOR DISPOSITION OF RECORDS:

1. The Local Records Commission will meet at least once annually.
2. A records inventory will be maintained by WOCO to identify and describe the records types or series possessed by WOCO. The inventory should include the series title, location, information content, dates included, and media type.
3. The commission will decide which records are of ADMINISTRATIVE, LEGAL, FISCAL, or HISTORICAL value when determining which records to retain or dispose of.
4. The WOCO records officer will prepare a Schedule of Records Retention and Disposition (RC-2), and complete the appropriate records disposal form(s). For any records that are not on the RC-2 form, the records officer will complete an application for One-Time Records Disposal (RC-1). Forms are available from the Local Government Records Program of the Ohio Historical Society at <http://www.ohiohistory.org/resource/lgr/forms.html>.⁴
5. Upon the Commission's approval, the records retention schedule or list of disposable records will be forwarded as follows:
 - a. Original – Forward original to Ohio Historical Society Network Specialist for Shelby County.
 - b. Copies – Keep one (1) copy with Records Commission Files.
 - c. Ohio Historical Society Records Specialist will make and send a copy to State auditors office.
 - d. A third copy should be retained at WOCO until an approved copy is returned.
6. Once the retention periods listed on the schedule have been approved by all authorities records beyond the approved retention periods may be disposed of without having a records commission meeting.
7. Each time there are records to dispose of, the WOCO records officer will prepare a Certificate of Records Disposal (RC-3) and submit it to the OHS State Archives 15 business days before the disposal date, and obtain approval before disposing of or transferring any record. The Ohio Historical Society State Archives LGRP will forward the RC-3 to the Auditor of State's records officer, Columbus. The certificate of records disposal serves as the official record of the disposition of the records.
8. WOCO will dispose of records in accordance with approved Schedule or Application.

⁴ The application for a one-time records disposal (RC-1) is used to request permission to destroy or transfer particular records covering only specified dates. It should be used primarily to dispose of obsolete records that are no longer created or maintained. Unlike the continuing authority provided by a RC-2 records schedule, as RC-1 one-time disposal application allows records to be disposed of one time.



WOCO Record Retention Schedule

Agency Policies & Procedures			
Series #	Series Title	Description	Retention Period
1-1	Directives, Manuals and Handbooks	Publications produced by an agency detailing operations, regulations, and/or procedures of an agency. E.g. WOCO policies and procedures manual; WOCO constitution and bylaws, and; annual service fee schedules.	Retain until obsolete, or replaced, then appraise by the Ohio Historical Society for historical value.
1-2	Management and Operations Reports	Reports or publications generated for external audiences; including reports created by WOCO staff or outside consultants concerning the management or operations of WOCO; or other published periodic reports on agency activities.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then appraise by the Ohio Historical Society for historical value.

Reports, Publications & Meetings			
Series #	Series Title	Description	Retention Period
2-1	Newspaper Releases and News Bulletins	Includes newsletters and bulletins issued by WOCO E.g. Updates to treasurers, EMIS coordinators, and other user bases.	Retain in agency until no longer of administrative value, then appraise by the Ohio Historical Society for historical value.
2-2	Documentation from Agency Staff Meetings	Includes agenda, minutes (if taken) and supporting records documenting internal policy decisions.	Retain 1 year, then appraise by the Ohio Historical Society for historical value.
2-3	Minutes of official public meetings	Board and Assembly meeting minutes.	Retain 5 years, then appraise by the Ohio Historical Society for historical value.
2-4	Event sign-in sheets	Records documenting the participation of individuals at WOCO events.	Retain 1 year, then destroy.



Correspondence & Memoranda			
Series #	Series Title	Description	Retention Period
3-1	Correspondence, Executive	Correspondence of the head of an agency dealing with significant aspects of the administration of their offices. Correspondence includes information concerning agency policies, procedures, program, fiscal and personnel matters.	Retain 2 years then appraise by the Ohio Historical Society for historical value.
3-2	Correspondence, General	Includes internal correspondence (letters, memos); also, correspondence from various individuals, companies, and organizations requesting information pertaining to agency services and other miscellaneous inquiries. This correspondence is informative (it does not attempt to influence agency policy).	Retain 6 months, then destroy.
3-3	Correspondence, Routine	Referral letters, requests for routine information or publications provided to the public by an agency which are answered by standard form letters.	Retain 6 months, then destroy.
3-4	Lists/Directories	Includes mailing lists, directories, rosters, and registers compiled by an agency. E.g. UMP e-mail lists.	Retain until obsolete or replaced, then destroy.
3-5	Transient Documents	Includes telephone messages, post-it-notes, telephone messages, drafts, bulletins, posters, notices, calendars, blank forms, copies of documents where the original exists elsewhere, and other limited documents including e-mail and instant messages, which serve to convey information of temporary importance in lieu of oral communication. Transient documents do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt.	Retain until no longer of administrative value, then destroy.
3-6	Correspondence from state agencies or other grantors	Includes communiqués from state agencies (Ohio Department of Education, eTech)	Retain until no longer of administrative, fiscal, or legal value to agency, then destroy.



Records Retention			
Series #	Series Title	Description	Retention Period
4-1	Records Retention Schedule	A form used to identify the length of time a record must be retained before final disposition.	Retain until superseded by a revised retention schedule, or until record series is no longer maintained, then destroy.
4-2	Records Inventory	Used for conducting an inventory of an agency's record series. Requests vital information to be used in determining the retention period and disposition of a record.	Retain until superseded by an updated inventory or until record series is no longer created, then destroy.
4-3	Certificate of Records Disposal	Form used to certify the destruction or transfer of records according to an approved records retention schedule.	Retain 2 years, then destroy.

Legal Records			
Series #	Series Title	Description	Retention Period
5-1	Attorney correspondence	Formal opinions and informal opinions issued to state agencies with all pertinent materials attached thereto.	Retain until no longer of administrative or legal value to agency, then destroy.
5-2	Licenses, Permits, Certifications	All documents relating to application and grant or denial of an administrative license, permit, etc.	Retain 1 year after final expiration, including all renewals, or 1 year after denial, then destroy.

Office Equipment & Supplies			
Series #	Series Title	Description	Retention Period
6-1	Equipment Inventory	Documents or programs used to complete equipment inventory reports for anything considered of value (over \$200). E.g. laptops, LCD projectors etc.	Retain until superseded, then destroy.
6-2	Direct Purchase Orders, Requisitions and Other Documents Related to Purchase of Goods or Services	e.g. Delivery Slips and packing lists, UPS logs.	Retain until audited by Auditor of State and audit report is released and all discrepancies are resolved, then destroy.