Administrative Order
Records Management and Public Records Policy
Updated – November 13, 2025
Proposed by: Administrative and Records Manager

1. PURPOSE

To provide a Public Records Policy to public officials and employees to facilitate making City of Bexley records available to the public in accordance with Ohio's Public Records Act ORC 149.43 (Addendum A). Openness and transparency are essential for a strong community. They demonstrate integrity, increase trust, and build confidence in our local government. The City of Bexley strictly adheres to the State of Ohio's Public Records Act and all exemptions to openness are to be construed in their narrowest sense.

2. DEFINITIONS

A. Record – any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in ORC 1306.01 (Addendum B), 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.

B. Records Retention Schedule – A list of City records and retention periods as approved by the City of Bexley Records Commission, the Ohio History Connection (State Archives), and Auditor of State.

C. Electronic Records – Records created, generated, sent, communicated, received, or stored by electronic means. A record or contract that is secured through block chain technology is considered to be in an electronic form and to be an electronic record.

D. Public Records – Records kept by any public office. All records of The City of Bexley are public unless they are exempt from disclosure under the Ohio Revised Code. Subject to certain statutory exceptions, most documents and records maintained by the City of Bexley, including but not limited to electronic records and social media, are public records under Ohio law.

E. Public Office – Any state agency, public institution, political subdivision, or other organized body, office, agency, institution, or entity established by the laws of this state for the exercise of any function of government.

F. Administrative and Records Manager – The employee responsible for overseeing records management for the City.

G. Records Officer – As designated by the Department Head, the Bexley employee(s) responsible for managing their respective department's records, and fulfilling public records requests as needed.

H. Google Forms and Sheets – The method the City of Bexley uses to receive and track public records requests.

3. MAINTENANCE OF RECORDS AND TRAINING

As required by Ohio law ORC 149.43 (B)(2), records shall be organized and maintained so that they are readily available for inspection and copying during normal business hours. The records retention schedule shall be updated regularly and posted prominently. Each department shall designate a Records Officer who will be responsible for ensuring routine public records requests are responded to promptly. Each Records Officer shall complete the following:

- acknowledgement of this policy (signed document shall be provided to Administrative Manager);
- recommended Ohio Sunshine Laws training;
- other training as required.

4. ELECTRONIC RECORDS

Electronic records shall be treated in the same manner as records in other formats. Emails, text messages and instant messages, for example, may be public records if their content documents the business of the office. Records transmitted to or from private email accounts and/or using a private device to conduct public business are subject to disclosure, and all employees or representatives of the City of Bexley are required to retain them in accordance with applicable records retention schedules.

5. SOCIAL MEDIA

Any content maintained in a social media format which is related to City business, including but not limited to a list of subscribers, posted comments, and information submitted for posting, may be a public record subject to public disclosure. Records will be maintained for the required retention period in a format that preserves the integrity of the original record and is easily accessible using the approved City social media platform and tools.

Content submitted for posting that is deemed not suitable for posting by a City of Bexley moderator, shall be retained pursuant to the records retention schedule along with a description of the reason the specific content is deemed not suitable for posting.

6. RECORD REQUESTS

A. Requests made through the City's website by the requester will be sent to the Administrative Manager. The Manager will route requests to the appropriate City Department's Records Officer for handling. Should the department receive a public records request outside the Administrative Manager (via email or verbally), the Records Officer is responsible for logging the request in the Google worksheet (employees assigned as Records Officer will receive a shared link to the worksheet) and fulfilling the request. The Records Officer may use, but may not require, a Public Records Request Form (Addendums C and D). No matter how received, each request for public records will be evaluated for a response using the following guidelines:

1) Although no specific language is required to make a request, the requester must identify the records requested with sufficient clarity to allow the appropriate director or their designee to identify, retrieve, and review the records. If it is not clear what records are being sought, the Records Officer must contact the requester for clarification, and should assist the requester in revising the request by informing them of the manner in which the office keeps its records.

2) The requester is not required to put a records request in writing and is not required to provide their identity or the intended use of the requested public record. It is the City of

Bexley's general policy that this information is not to be requested. However, the Administrative Manager and/or the Records Officer may ask for a written request and may ask for the requester's identity and/or intended use of the information requested if: (1) it would benefit the requester by helping the public office identify, locate, or deliver the records being sought, and (2) the requester is informed that a written request and the requestor's identity and intended use of the information requested are not required.

3) If the requester makes an ambiguous or overly broad request such that the Administrative Manager or the Records Officer cannot reasonably identify what public records are being requested, the request may be denied, but the City must then provide the requester an opportunity to revise the request by informing them of the manner in which records are maintained and accessed.

4) Public records shall be made available for inspection during regular business hours, Monday through Friday, with the exception of recognized holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period 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.

5) The Records Officer shall evaluate each request to determine an estimated length of time required to gather the records. Routine requests for records should be satisfied as quickly as possible, within 1-2 business days.

B. If a public records request is not routine, is voluminous, and/or will require the coordination of responses from more than one department, the request shall be routed to the Administrative and Records Manager. The Administrative and Records Manager will be responsible for coordinating the response to the request. If a request is voluminous or will require research, the acknowledgement must include the following:

- An estimated number of business days it will take to satisfy the request.
- An estimated cost, if copies are requested.
- Any items within the request that may be exempt from disclosure.

C. Any denial of public records requested must include an explanation, including legal authority (see Addendums E and F). If portions of a record are public and portions are exempt from disclosure, the exempt portions must be redacted, and the rest released. If there are questions about whether a record is exempt and/or additional redactions that may be needed and explained, contact the City Law Director and advise the Administrative Manager.

D. Those seeking public records will be charged only for the actual cost of making copies. Costs are set forth per Bexley Code Section 266.04 (Addendum G):

- Paper copies (over 20 pages) – Black & White .05 cents per page, Color .10 per page
- USB flash drive - $5.00 each
- Emailed documents – no charge
- Mailed documents – actual cost of the postage and mailing supplies
- Video – processing fee of $37.00 per hour (9.25 per 15 minutes). Maximum charge of $750.00 per video.

7. CENTRALIZED PUBLIC RECORDS REQUEST LOG

The Google worksheet (a shared link will be sent to the employee(s) assigned as Records Officer) allows for tracking all public records requests. To aid in the auditing process, it is imperative that all records requests are logged in this worksheet. Public records request logs held by the department prior to the introduction of the Google worksheet should be kept in accordance with the Records Retention Schedule.

8. FAILURE TO RESPOND TO A RECORDS REQUEST

The City of Bexley recognizes the legal and non-legal consequences of failure to properly respond to a public records request.

A. In addition to the distrust in government that failure to comply may cause, the City of Bexley's failure to comply with a request may result in a court ordering the City of Bexley to comply with the law and to pay the requester's attorney's fees, court costs, and damages.

B. As stated above in section 6(A)(3), if a request is ambiguous, overly broad, or such that the office cannot reasonably identify what public records are being requested, the public office shall provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.

C. Any denial of public records in response to a request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing. Any denial of public records must be done in consultation with the City of Bexley Law Director.