

Records Maintenance and Release

500.1 PURPOSE AND SCOPE

- a. This policy provides guidance on the maintenance and release of township records. Protected information is separately covered in the Protected Information Policy.

500.2 POLICY

- b. The Township is committed to providing public access to records in a manner that is consistent with state public records laws.

500.3 TRUSTEE AND FISCAL OFFICER

- c. The Trustee shall designate a Trustee and Fiscal Officer. The responsibilities of the Trustee and Fiscal Officer include but are not limited to:
 - d. Managing the records management system for the Township, including the retention, archiving, release, and destruction of township public records.
 - e. Maintaining and updating the township records retention schedule, including:
 - 1. Identifying the minimum length of time records must be kept.
 - 2. Identifying the township department responsible for the original record.
 - f. Establishing rules regarding the inspection and copying of public records as reasonably necessary for the protection of such records.
 - g. Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
 - h. Establishing rules regarding the processing of subpoenas for the production of records.
 - i. Ensuring the availability of a current schedule of fees for public records as allowed by law.
 - j. Preparing and making available to the public the records request process, to include the cost of inspecting or obtaining copies.

500.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

- k. Any employee who receives a request for any record shall route the request to the Trustee and Fiscal Officer or the authorized designee.

500.4.1 REQUESTS FOR RECORDS

- l. The processing of requests for any record is subject to the following:
 - m.
 - a. Clarification may be sought if the request is unreasonably broad or unclear.
 - b. Inspection of records should be during regular business hours unless otherwise authorized by the Trustee and Fiscal Officer.
 - c. Records should be made available in a format readily accessible to the requester. Records may also be made available in a specific format requested and a fee charged for reasonable costs of any required processing.
 - d. Records should be provided or a denial provided to a requester within a reasonable period of time.
 - 1. If a delay in providing records is anticipated, the requester should be provided a written response with the reason for the delay and the anticipated date the records will be provided.

- e. Fees should be charged as allowed by law and established by the Township.
- f. The Township is not required to create records that do not exist.
- g. When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained in the township file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the township-approved media storage system and a notation should be made in the file to document the release and the reasons for the redacted portions.

500.4.2 DENIALS

- n. The denial of a request for records should be documented and include:
 - a. A description of the records requested.
 - b. The specific reasons for the denial.
 - c. The name, title, and signature of the Trustee and Fiscal Officer.

500.5 RELEASE RESTRICTIONS

- o. Examples of release restrictions include:
 - a. Personal identifying information, including an individual's Social Security and driver identification numbers; and medical or disability information that is contained in any township record.
 - b. Certain personnel information, including but not limited to an employee's residential address and telephone number, Social Security number, marital status, and medical history.
 - c. Audio and video recordings obtained through use of body-worn cameras by law enforcement officers, except as provided by statute.
 - d. Certain concealed firearm license/permit information of an applicant.
 - e. Records concerning security plans, procedures, assessments, measures, or systems, and other records relating to the security of persons, structures, facilities, infrastructure, or information technology systems that could reasonably be expected to be detrimental to the public's safety or welfare.
 - f. Records pertaining to strategy or negotiations related to labor relations, employment contracts, or collective bargaining and related arbitration proceedings.
 - g. Records pertaining to pending or potential litigation that are not records of any court.
 - h. Any other information that may be appropriately denied by federal or state law.

500.6 SUBPOENAS AND DISCOVERY REQUESTS

- p. Any employee who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Trustee and Fiscal Officer for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.
- q. Generally, discovery requests and subpoenas should be referred to the Trustee or the authorized designee.
- r. All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to the Trustee or legal counsel so that a timely response can be prepared.

500.7 SECURITY BREACHES

- s. Employees who become aware that any township records system may have been breached should notify the Trustee and Fiscal Officer as soon as practicable.
- t. The Trustee and Fiscal Officer shall ensure any required notice of the breach is given.
- u. If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Trustee and Fiscal Officer should promptly notify the appropriate employee designated to oversee the security of protected information (see the Protected Information Policy).

500.8 EXPUNGEMENT

- v. The Police Department shall review all court orders and other filings that pertain to the expungement or sealing of records for appropriate action. Once a record is expunged or sealed, employees shall respond to any inquiry as though the record did not exist.

500.9 TRAINING

- w. Employees authorized to manage, release, or facilitate public access to township records should receive training that includes identification of material appropriate for release or public access and the township systems and procedures guiding such release and access.

I understand that it is my responsibility to review, become familiar with and comply with all the provisions of this new or updated policy. I further understand that, if I have questions about or do not fully understand any portion of this policy, it is my responsibility to seek clarification from my supervisor. I hereby acknowledge that I have received, read and understand this policy.