

# INFORMATION ONLY

PROCEDURE TITLE:	PUBLIC RECORDS REQUESTS
PROCEDURE NO.:	5.19:1
RELATED POLICY:	5.19 REV.
PAGE NO.:	1 of 4
RESPONSIBLE OFFICER(S):	GENERAL COUNSEL
EFFECTIVE DATE:	07/10/15
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APPROVED BY:	PRESIDENT

## 1.0 INTRODUCTION

This procedure applies to Public Records Policy 5.19 and is intended to ensure compliance with the Ohio Public Records Act, Ohio Revised Code §149.43 *et seq.*

- 1.1 The term “University records” has the same meaning as the term “records” in O.R.C. 149.011, the Ohio Public Records Act.

## 2.0 PUBLIC RECORDS OFFICER

- 2.1 The President will designate a Public Records Officer to be responsible for facilitating University responses to requests for public records. The Public Records Officer will work in consultation with the University General Counsel.
- 2.2 The Public Records Officer is responsible for maintaining a record of public record requests, including the date the request was received, name of requester (if known), a summary description of the requested records, the date such records were provided, and the reason for redactions, if any.
- 2.3 University staff who receive public records requests are required to promptly notify the Public Records Officer or the Office of General Counsel and provide a copy of the request. Employees in other university offices shall assist the Public Records Officer to ensure prompt production of records.

### 3.0 MAKING A PUBLIC RECORDS REQUEST

- 3.1 Information containing a general description of the process for making public records requests and the contact information of the Public Records Officer will be posted in prominent University locations, including the University's website.
- 3.2 Public records requests may be made in person, by phone, or in writing, including via email to [publicrecords@shawnee.edu](mailto:publicrecords@shawnee.edu). A request to the email address is generally the most expedient pathway.
- 3.3 Public records requests will be honored as promptly as possible, depending upon the nature of the request, including the volume and specificity of records requested, ease of retrieval, and the need for legal review and redaction of non-public information.
  - 3.3.1 The University may work with the requester to establish timelines for responses to requests that are voluminous, or that require extensive research or review. In such cases, the University may work with the requester to identify records of priority to the requester.
- 3.4 Requesters need not identify themselves or the purpose for the request, except as specifically required or authorized by state or federal law.
  - 3.4.1 The University may inquire about the requester's identity and/or intended use of the records if reasonably believed it would help to clarify the request and/or enhance the ability of the University to identify, retrieve or deliver the records sought by the requester.
- 3.5 Although no specific language is required to make a request, the requester should at least identify records with sufficient clarity and specificity to enable the University to more quickly identify, and locate the records.
  - 3.5.1 The University may work with the requester to revise requests that are ambiguous or overly broad. In doing so, the University will assist the requester by informing the requester of the manner in which University records are customarily maintained and accessed by the University in its ordinary course of business.
  - 3.5.2 The Shawnee State University general records retention schedule can be found at <http://shawnee.edu/offices/records-retention/>

3.5.3 The University may decline to create a record that contains the information requested if the record does not already exist, or to seek out and retrieve records that contain specific information if the record itself is not sufficiently identified.

3.6 If a request is made for personnel records of a specified University employee, the University will endeavor to notify that employee that his/her records have been requested and, if known, the name of the person making the request.

#### 4.0 INSPECTION OF RECORDS

4.1 Requesters may make an appointment to inspect public records during regular University business hours by contacting the Office of General Counsel.

#### 5.0 REQUESTING COPIES

5.1 In accordance with Ohio law, the requester may request copies of records in the following mediums: (1) on paper, (2) in the same medium as the record is kept by the University office, or (3) on any medium upon which the University determines the record can reasonably be duplicated as an integral part of the normal operations of the University.

5.2 Requests for electronic copies of records maintained only in paper form will be honored to the extent the records can reasonably be duplicated in the normal course of operations.

#### 6.0 CHARGES/COSTS

6.1 The University may recover the actual cost associated with producing duplication of records, including copying and mailing expenses. Payment of these costs is expected in advance and copying requests may be held until receipt of payment. No charge will be assessed for staff time to review or make copies.

6.2 Charges for copying and/or scanning of records maintained only in paper form will be assessed at a rate of \$0.10 per page, \$0.05 per scan and \$1.00 for compact disc. Other tangible mediums will be assessed at cost. No charge will be assessed for electronic transfer of a record that is maintained in an electronic file.

6.3 Requests for transmission of public records via U.S. mail or other carrier system will be charged for copies along with postage or other delivery cost.

6.4 Charges may be assessed for costs associated with redaction of information subject to exemption under the Ohio Public Records Act.

6.5 The above fees may be waived for requests received for official government purposes.

#### 7.0 REQUESTING INCIDENT REPORTS AND INDIVIDUAL RECORDS

7.1 Requests for an incident report may be made either to the Public Records Officer, or directly to the Department of Public Safety. A request for multiple reports or more than one request in a month from the same requester should be directed to the Public Records Officer.

7.2 Individuals may request review and/or copies of their own student transcripts directly from the University Registrar.

7.3 Individuals may request review and/or copies of their own personnel record directly from the Office of Human Resources.

#### 8.0 DENIAL OF RECORDS IN WHOLE OR IN PART

8.1 Records will be reviewed to determine if the record itself or information contained within a record are subject to exemption in accordance with the Ohio Public Records Act. If a record is denied in whole or in part, the requester will be provided an explanation, including legal authority, setting forth the reason for denial of the request. Information which is not releasable, such as Social Security numbers, will be redacted in a visible manner prior to release.

#### History

Effective: 07/13/12

Revised: 07/10/15; 04/18/15