

JAMES A. RHODES STATE COLLEGE
HUMAN RESOURCES POLICY STATEMENT

This policy and/or procedure provides operating principles for Human Resources issues at James A. Rhodes State College. It supersedes any prior policy covering the specific subject. This policy and/or procedure may be suspended, modified or cancelled as determined by the College. This policy and/or procedure does not create a contract of employment, nor is it a condition of employment between the College and its employees.

This policy and/or procedure is provided on-line for the convenience of access for College employees. It is created in WordPerfect and is in “read-only” format. The file can be opened, reviewed and/or printed for reference. The original policy will be the governing copy and is on file in Human Resources.

(Specific Policy Follows on Next Page)

PUBLIC RECORDS

Applies to: All Faculty and Staff

Policy 9.2
BOT 09/18/07

It is the policy of James A. Rhodes State College (hereinafter referred to as “College”) that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the College to strictly adhere to the state’s Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid 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.

A. Public Records

The College, in accordance with the Ohio Revised Code, defines records as including the following: Any document - paper, electronic (including, but not limited to, e-mail), or other format - that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the College are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

1. It is the policy of the College that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section D for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

B. Record Requests

Requests for all public records will be made to the Office of Human Resources, 223 Public Services Building. If a request is made directly to any other College office or employee, both faculty and staff are expected to promptly refer the request to the Office of Human Resources.

Each request for public records should be evaluated for a response using the following guidelines:

1. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the College to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.
2. The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is the College’s general policy that this information is not to be requested.

3. Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly if it is possible. 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.
4. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

If more copies are requested, an appointment should be made with the requester on when the copies or computer files can be picked up.

All requests for public records must either be satisfied or be acknowledged in writing by the College within seven business days following the College's receipt of the request. The written acknowledgment will only be provided if the person requesting the records provides his/her name and address to the College. If a request is deemed significantly beyond "routine," such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

- a. An estimated number of business days it will take to satisfy the request.
 - b. An estimated cost if copies are requested.
 - c. Any items within the request that may be exempt from disclosure.
5. Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.
 6. When a public records request is made to examine a personnel file or for any personnel information, the faculty or staff member, to the extent practicable, will be a) notified that his or her personnel records have been requested and b) if known, provided with the name of the individual making the request.

C. Costs for Public Records

Those seeking public records will be charged only for the actual cost of making copies.

1. The charge for paper copies is 5 cents per page.
2. The charge for downloaded computer files to a compact disc is \$1 per disc.
3. There is no charge for documents e-mailed.

4. Requestors may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

D. E-mail

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the College. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

1. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the College are instructed to retain their e-mails that relate to public business (see A Public Records) and to copy them to their business e-mail accounts and/or to the College's records custodian.
2. The records custodian is to treat the e-mails from private accounts as records of the College, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

E. Failure to respond to a public records request

The College recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the College's failure to comply with a request may result in a court ordering the College to comply with the law and to pay the requester attorney's fees and damages.