

Public Records, 7.07(a)
Chapter 7: General Administrative
Applies to: Students, Faculty and Staff

Purpose:

The below procedures are administered in accordance with Public Records Policy 7.07.

- I. **Handling Record Requests:** Requests for all public records should be made to the Office of Human Resources, Public Services Building 236 or via email at HR@RhodesState.edu. If a request is made directly to any other College office or employee, the employee is 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:

- a. 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 manager 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.
- b. 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 practice that this information is not to be requested. However, the law does permit the College to ask for a written request, the requestors identity, and/or the intended use of the information requested, but only if (1) a written request or disclosure or intended use would benefit the requester by enhancing the office's ability to identify, locate or deliver the public records that have been requested; and (2) the requester is first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.
- c. The College does not have an obligation to create new records or perform a search or research for information in the office's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office's standard use of sorting, filtering, or querying features. Although not required by law, the College should consider generating new records when it makes sense and is practical under the circumstances.
- d. In processing a request for inspection of public record, a College employee may accompany the requester during the inspection to make certain original records are not taken or altered.
- e. 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.

- f. 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.
- g. A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General's website (www.OhioAttorneyGeneral.gov/YellowBook) for the purpose of keeping employees of the office and the public educated as to the office's obligations under Ohio's Public Records Act, Ohio's Open Meetings Act, records retention laws, and the Personal Information Systems Act

II. Denial or Redaction of Records:

- a. If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the College cannot reasonably identify what public records are being requested, the request may be denied, but the College must then 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 College.
- b. 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. If the initial request was made in writing, the explanation must also be in writing.

III. Cost for Public Records: Those seeking public records will be charged only for the actual cost of making copies.

- a. The charge for paper copies is 5 cents per page.
- b. Electronic devices used will be charged at the actual cost of purchase.
- c. There is no charge for documented e-mailed to the requester.
- d. Requestors may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.
- e. A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the records duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the College's normal operations.

IV. Electronic Records:

- a. Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape.
- b. Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of the College are

required to retain their e-mail records and other electronic records in accordance with the College’s applicable records retention schedules.

- V. Managing Records:** The College’s records are subject to records retention schedules. The office’s current schedules are available on the College’s G-Drive, a location readily available to the public as required by Ohio Revised Code 149.43 (B)(2).

Related Policies or Procedures:

[Public Records Policy 7.07](#)

[Records Retention Policy 7.02](#)

Records Retention Schedule

History:

| | Date: | Reason: |
|-----------------|----------|---------|
| Issued: | | |
| Revised: | MM/DD/YY | |
| | | |

This policy and / or procedure provides operating principles for Human Resources issues at Rhodes State College. It supersedes any prior policy covering 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.