

# Public Records Policy

## **Introduction:**

It is the policy of the Hurt/Battelle Memorial Library to adhere to the state's Public Records Act (ORC 149.43). Ohio Revised Code Section 149.43 generally provides that all public records be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. 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.

## **Records Commission:**

A Records Commission of the Hurt/Battelle Memorial Library will be composed of the Fiscal Officer, Director, and Board of Trustees. This Commission shall meet annually for the purpose of approving records to be destroyed. The Fiscal Officer shall prepare the list of records to be destroyed and present it for approval to the Board of Trustees at the board meeting following the Records Commission's annual meeting. A file maintained by the Fiscal Officer will serve as the official record of all actions taken by the Records Commission. This file shall contain all disposal lists and approvals. The file shall be an official record of the Hurt/Battelle Memorial Library Board of Trustees. In all cases, the Ohio Historical Society – State Archives – Local Governmental Records Program will receive an RC-1 or RC-3 (Certificate of Records Disposal) as needed before any records are disposed of, transferred, or destroyed.

## **Section 1. Public Records**

In accordance with the Ohio Revised Code and applicable judicial decisions, records are defined as any item that (i) contains information stored on a fixed medium (such as paper, electronic-including but not limited to e-mail- and other formats); (ii) is created or received by, or sent under the jurisdiction of a public office; and (iii) documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. Public records are to be open to the public at all reasonable times with exceptions only as provided for in the law.

### **Section 1.1**

As required by Ohio law, records will be organized and maintained so that they are readily available at all reasonable times for inspection and copying. (See Section 4 for the e-mail record policy). Record retention schedules are to be updated as needed and be readily available to the public. A poster describing the Library's Public Records Policy is to be displayed conspicuously at all branch locations.

### **Section 1.2**

By law, certain information including employee medical records, social security numbers, employee home addresses, and other information are not subject to disclosure. Requesters will be advised if any redactions are made. Any questions as to the exempt status of any record will be submitted to the Madison County Prosecutor's Office. In such cases where a request is denied, the requester will be provided with a written explanation as to why the request was disallowed, including legal authority.

## **Section 2. Record Requests**

Each request for public records should be evaluated for a response using the following guidelines: Requests should be addressed by the Director, or in the Director's absence another member of the Administration staff. By law, an individual is not required to make a public records request in writing. If the requestor does not make a request in writing, the staff member receiving the request should attempt to accurately convey the request to the Director. PRIOR to any request for an

individual to make a request in writing, the individual MUST be informed that by law, they are not required to make the request in writing.

### **Section 2.1**

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 Library 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 requester in revising the request, informing the requester of the manner in which the office keeps its records.

### **Section 2.2**

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. Staff members receiving the public records request should not ask for such information. If a written request or disclosure of identity or intended use would benefit the requester by assisting the individual providing the records to identify, locate, or deliver the public records that have been requested, the individual providing the records may ask for such information. PRIOR to asking for such information, the requester must be informed that a written request is not required and that they may decline to reveal their identity or intended use.

The individual may request copies in a specific format. The Library will comply with this if possible. If the request is to “view” or inspect the records (rather than receive a copy of them) the records are not permitted to leave library premises and will be viewed in the presence of an authorized staff member.

### **Section 2.3**

Public records are to be available for inspection during regular business hours. Public records responsive to the request 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.

### **Section 2.4**

Each request should be evaluated for an estimated length of time required to gather the records.

### **Section 2.5**

Any denial (in whole or in part) 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 remainder released. An explanation of the redaction and legal authority supporting this will be provided in writing.

## **Section 3. Costs for Public Records**

Those seeking public records will be charged only the actual cost of making copies. The charge for paper copies is \$.10 per page.

### **Section 3.1**

Requesters may ask that the documents be mailed or delivered to them. They will be charged in advance for the actual cost of postage and mailing supplies or delivery fees.

## **Section 4. E-mail**

E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedule.

**Section 4.1**

All employees or representatives of the Library are instructed to retain their e-mails that are related to public business and to store them in accordance with the Records Retention Schedule.

**Section 5.**

This policy and associated procedures will be posted on the Library's website and information regarding the policy will be displayed in conspicuous places within the library.