



# BOARD POLICIES

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## **PUBLIC RECORDS**

Category: Operational

Approved: September 26, 2007

### **Introduction**

It is the policy of Rocky River Public Library (the "Library") that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Library to strictly adhere to the state's Public Records Law. 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.

### **Public Records**

Public records include the following: any document – paper, electronic, or other format – that is created or received by, or comes under the jurisdiction of the Library that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Library. All records are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

It is the policy of the Library that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and record retention schedules are to be updated regularly and posted prominently.

### **Library Records Commission**

The Library Records Commission shall consist of the Library Board of Trustees and the Clerk – Treasurer, who shall serve as the Chair/Secretary. The Records Commission shall meet at least annually to review the Certificate of Records Disposal forms as submitted by the Chair/Secretary.

### **Record Requests**

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

The requester must 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 requester will be contacted for clarification.

The requester is not required 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 Library's preference that a public records request be placed in writing.

Public records will be available for inspection during regular business hours (9:00 a.m. – 5:00 p.m. Monday – Friday), with the exception of published holidays. Public records will be made available for inspection promptly. Copies of public records will 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. Each request will be evaluated for an estimated length of time required to gather the records. Routine requests for records will be satisfied immediately if feasible to do so.

All requests for public records must either be satisfied or be acknowledged in writing by the Library within three business days following the office's receipt of the request. 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:

1. An estimated number of business days it will take to satisfy the request.
2. An estimated cost if copies are requested.
3. Any items within the request that may be exempt from disclosure.

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 will be redacted and the rest released. If there are redactions, each redaction will be accompanied by a supporting explanation, including legal authority.

### **Costs for Public Records**

Those seeking public records may be charged only 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. Requesters may ask that documents be mailed to them. The requester will be charged the actual cost of the postage and mailing supplies.

Any costs for public records must be paid in advance of the records being provided.

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

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and/or to the Library's records custodian. The records custodian is to treat the e-mails from private accounts as records of the Library, 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 Law.

**Failure to respond to a Public Records Request**

The Library recognizes that the consequences of failing to properly respond to a public records request in accordance with the law may result in a court ordering the Library to comply with the law and to pay the requester attorney's fees and statutory damages.