



BOARD OF TRUSTEES POLICY PUBLIC RECORDS

INTRODUCTION

Openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Euclid Public Library to adhere to Ohio's Public Records Act. This Act generally provides that public records be promptly prepared and made available for inspection to any person at 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.

SECTION 1: PUBLIC RECORDS

In accordance with the Ohio Revised Code and applicable judicial decisions, a "record" is defined to include the following: a document in any format – paper, electronic (including but not limited to, business e-mail) – that is created, received by, or comes under the jurisdiction of the Library that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

A "public record" is a "record" that is being kept by the Library at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. As required by Ohio law, public records will be organized and maintained so that they can be made available at all reasonable times for inspection and copying.

By law, certain information including but not limited to employee medical records, social security numbers, employee home addresses are not subject to disclosure. Requesters will be advised if any redactions are made.

SECTION 2: RECORD REQUESTS

Each request for public records will be evaluated for a response using the following guidelines. Requests will be addressed by the Fiscal Officer, or, in the Fiscal Officer's absence, another member of the Administration staff.

It is preferred that such a request be in writing, although a written request is not mandatory. 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 Library's general policy that this information is not to be requested. However, the law permits the Library to ask for a written request, the requester's identity, and/or the intended use of the information requested, but only if (1) a written request or disclosure of identity or intended use would benefit the requester by enhancing the Library'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.

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 the request is ambiguous or overly broad or it is not clear what records are being sought, the request may be denied but the

Library will contact the requester for clarification and provide the requester an opportunity to revise the request by informing the requester of the manner in which the Library keeps its records.

Upon request, public records will be available for inspection during regular business hours, with the exception of public holidays. Public records responsive to the request 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, the necessity for any legal review and redaction, and other facts and circumstances of the records requested. It is the goal of the Library to acknowledge each request in writing, when feasible, and to evaluate each request for an estimated length of time required to gather the records.

Records are not permitted to leave Library premises and will be viewed in the presence of an authorized staff member. Any denial (in whole or in part) of public records requested will 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 remainder released. If the original request was in writing, then the explanation for the denial must also be in writing. The requester will be given the opportunity to revise the request.

SECTION 3: COSTS FOR COPYING AND MAILING PUBLIC RECORDS

Those seeking public records will be charged the actual cost of making copies, including but not limited to the cost for paper copies, an external storage device, or the services of a private contractor to copy public records when reasonable. The requester may choose whether to have the record 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 in the office's normal operations.

All charges are payable prior to receipt or mailing of records. 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: RECORDS CUSTODIAN

For purposes of compliance with public records requests and training requirements under R.C. 149.43 the Board of Trustees designates the Fiscal Officer as records custodian, or in the Fiscal Officer's absence the person designated by the Director.

The Library's records are subject to records retention schedules. The current schedules are available in the Library's Fiscal Office. A Records Commission of the Euclid Public Library, composed of the Fiscal Officer, Director and one Trustee, shall meet annually for the purpose of approving records to be disposed. The Fiscal Officer shall prepare the list of records to be disposed and present it to the Board of Trustees for approval. A file maintained by the Fiscal Officer will serve as the official record of all actions taken by the Records Commission. The file shall contain all disposal lists and approvals. The file shall be an official record of the Library Board of Trustees. In all cases, the Ohio Historical Society – State Archives – Local Governmental Records Program will receive an RC-3 (Certificate of Records Disposal) before any records are disposed of, transferred or destroyed. Record retention schedules will be updated as needed and be readily available to the public.

Adopted by the Board of Trustees 03-15-11; Updated 10-15-13; Updated 01-18-22.