



EUCLID PUBLIC LIBRARY BOARD OF TRUSTEES POLICY

PUBLIC RECORDS

INTRODUCTION

It is the policy of the Euclid Public 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.

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; (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. 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.

By law, certain information including employee medical records, social security numbers, employee home addresses 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 Cuyahoga 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 will be evaluated for a response using the following guidelines: Requests will be addressed by the Director, or, in the Director'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. Records are not permitted to leave library premises and will be viewed in the presence of an authorized staff member.

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.

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.

Public records are available for inspection during regular business hours, with the exception of public holidays. 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. Each request should be evaluated for an estimated length of time required to gather the records.

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. 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 PUBLIC RECORDS

Those seeking public records will be charged the actual cost of making copies as follows:

- The charge for paper copies is \$.10 per page
- The charge for downloading files to an external storage device is \$1.00 per device
- If documents are mailed, the cost of postage and mailing supplies will be charged
- There is no charge for emailed documents

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 of 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.

A Records Commission of the Euclid Public Library, composed of the Fiscal Officer, Director and one Trustee, shall meet in July each year 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.