

3354:2-3-10 Public Records Policy.

- (A) It is the policy of the Lake County Community College District (hereinafter named as “district”) that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the district to adhere to the State of Ohio’s Public Records Act. 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 for denial must also be in writing.
- (B) The district, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of the district that documents the district’s organization, functions, policies, decisions, procedures, operations, or other activities. All records of the district are public unless they are specifically exempt from disclosure under federal or Ohio law.
- (1) As required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying within a reasonable period of time during regular business hours.
- (2) The district will also have available a copy of its current records retention schedule at a location readily available to the public.
- (3) No public record may be removed from the office in which it is maintained.
- (C) Each request for public records should be evaluated for a response using the following guidelines:
- (1) If a public records request is ambiguous or overly broad, or the person making the request has difficulty making the request for copies or for inspection to the extent that the district is unable to reasonably identify the records being requested, the district may deny the request for records. However, the district must provide an opportunity to revise the request by informing the requester of the manner in which the records are maintained and accessed in the ordinary course of the district’s duties.
- (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. It is the district’s general policy that this information is not to be asked from the requester.

- (3) Public records are to be available for inspection during the district's regular business hours. Public records must be made available for inspection as promptly as possible. Copies of public records must be made available within a reasonable period of time. "Promptly" 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.
- (4) The district is not required to allow the requester to make copies of the public record.
- (5) Each request should be evaluated for an estimated length of time required to gather the records.
- (6) 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.
- (D) Those seeking public records will be charged only the actual cost of making copies, or the cost of an electronic medium (disc, CD, DVD). Those costs will be determined by the Treasurer's office. Requesters may also ask that documents be mailed to them. Those parties will be charged the actual cost of the postage and mailing supplies. The district may require the requester to pay in advance the cost involved in providing the copy of the public record.
- (E) Documents in electronic e-mail format, including an individual's private email accounts used to conduct public business, are records as defined by the Ohio Revised Code when their content relates to the business of the district office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.
- (F) The custodian of records and other district personnel responsible for the inspection and/or copying of public records shall be provided a copy of this policy and shall acknowledge receipt.
- (G) This policy shall be reproduced in the form of a poster and posted in a conspicuous place at the district's main campus and at the district's offsite facilities. This policy shall also be included in any employee manual or handbook.
- (H) To ensure that the district complies with the requirements of Ohio's Public Records law, the Board of Trustees designate that the district's Executive Assistant to the President, as well as the Vice President for Administrative Services and Treasurer, shall attend training approved by the Ohio Attorney General as provided in O.R.C. §109.43.

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Certification

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