

**3356-9-07 Public records policy.**

- (A) Policy statement. It is the policy of the university that openness leads to a better informed citizenry, which leads to better government and better public policy. ~~It is the policy of~~ In accordance with this policy, the university ~~to strictly adhere~~ strictly adheres to the state's public records act (see section 149.43 of the Revised Code).
- (B) Purpose. ~~The purpose of this policy is to~~ To define the procedures that the university will follow in administering the public records law.
- ~~(C) Procedures.~~
- ~~(1) A "public record" is defined as 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 a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the university are public unless they are specifically exempt from disclosure under section 149.43 of the Revised Code.~~
- (C) Definition. A "public record" is defined as any document, device or item, regardless of physical form or characteristic, including paper, electronic (including but not limited to e-mail), or other format, that is created or received by or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the university are public unless they are specifically exempt from disclosure under section 149.43 of the Revised Code.
- (D) Procedures.
- ~~(2)~~(1) It is the policy of the university that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.
- ~~(3)~~(2) Each request for public records should be evaluated for a response using the following guidelines:

- (a) 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 public office 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.
- (b) 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.
- (c) Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records 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.

- (d) Public records requests should be directed to the “Office of the General Counsel, Tod Hall, Suite ~~312B~~ 314, Youngstown State University, One University Plaza, Youngstown, Ohio 44555,” or call (330) 941-2340.

“Routine requests” are those that certain departments receive on a consistent basis and that request basic information. These routine requests do not need to go to the office of the general counsel but may be processed by the office that retains the information after having first discussed the process with the office of the general counsel. “Non-routine requests,” or requests that produce voluminous documents, must be processed through the general counsel’s office.

- (e) Routine requests for information that are easily accessed will be processed as quickly as is reasonable. Non-routine or voluminous requests that require extensive copying or

research will be accompanied by an acknowledgment including:

- (i) An estimated number of business days it will take to satisfy the request.
  - (ii) An estimated cost, if copies are requested.
  - (iii) Any items within the request that may be exempt from disclosure, if known at the time of the acknowledgment.
- (f) 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.
- (g) Those seeking public records will be charged only the actual cost of making copies. The university is permitted to request payment in advance.
- (i) The charge for paper copies is five cents per page.
  - (ii) The charge for downloaded computer files to a compact disc is one dollar per disc.
  - (iii) There is no charge for documents e-mailed.
  - (iv) Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.
- (h) Documents in electronic mail format are records as defined in section 149.43 of the Revised Code when their content relates to the business of the office. 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 the university are instructed to retain their e-mails that relate to public business.

- (i) The university recognizes the legal and ~~non-legal~~ civic consequences of a failure to properly respond to a public records request. In addition to the distrust in government ~~that failure to comply may cause, the university's failure to comply with a request,~~ such a failure may result in a court ordering the university to comply with the law and to pay the requester attorney's fees and damages.

Effective: 05/08/2017

CERTIFIED ELECTRONICALLY

---

Certification

04/28/2017

---

Date

Promulgated Under: 111.15  
Statutory Authority: 3356  
Rule Amplifies: 3356  
Prior Effective Dates: 11/4/77, 7/15/99, 6/16/03, 8/23/10, 1/23/12