



Applies to: Faculty, staff, student employees, volunteers, and parties doing business with the university involving public records

POLICY

Issued: 09/29/2007

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To facilitate prompt access to public records and to ensure compliance with the Ohio Public Records Act (Ohio Revised Code (ORC) 149.43), all employees and others who use or keep records on the university’s behalf are expected to comply with this policy.

Definitions

Term	Definition
Actual cost	Includes the cost of supplies such as toner, paper, and packaging. It may not include employee time or labor.
Electronic record	A record created, generated, sent, communicated, received, or stored by electronic means (ORC 1306.01).
Record	Any document, device, or item, regardless of physical form or characteristic, including an electronic record, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, that serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office (ORC 149.011(G)).
Redaction	Obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a “record” (ORC 149.43(A)(1)).
Requester	Any person or entity, anonymous or otherwise, who wishes to make a request to inspect or obtain a copy of a public record.

PROCEDURE

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I. Making a Request

- A. Requests for information that does not exist on a fixed medium (paper, electronic, audio or video tape, etc.) are not subject to Ohio’s Public Records Act. An individual who seeks only information is encouraged to direct his or her inquiry to the university office that maintains that information.
- B. To facilitate a timely response, members of the media seeking public records should submit requests to the Office of University Communications, Rm. 08 C Bricker Hall, 190 N. Oval Mall, Columbus, Ohio, 43210, ucom.osu.edu. Others should submit requests directly to the university office having custody or control of the records or to the Public Records Office at publicrecords@osu.edu, c/o the Office of University Compliance and Integrity, 1534 N. High Street, Columbus, Ohio, 43201-2190. Public records requests submitted directly to a university office shall be referred to that office’s designated Public Records team member for tracking and response. Offices without a designated team member are to immediately contact the Public Records Office for assistance with tracking and response.
- C. If the designated team member for a university office to which a public records request is submitted receives a records request that is other than routine (e.g., the request is from an attorney and/or involves legal issues; appears to be ambiguous or overly broad; or is worded in manner such that the office cannot identify the public records being requested), the designated team member shall immediately contact the Public Records Office for guidance.
- D. Although no specific language is required to make a request, the requester must at least identify the records sought with sufficient clarity and specificity to allow the university to identify, retrieve, and review the



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records. The university may decline to create a record that contains requested information if a record does not already exist, and may decline to seek out and retrieve records that contain specific information that may be of interest to the requester if that information has not already been compiled in an existing record.

- E. Requests may be made in person, by telephone, or in writing, including via email. The university may not require a written request or condition the availability of public records by requiring disclosure of the requester's identity or the intended use of the requested public record. Should it facilitate a response or enhance the ability of the university to identify, locate, or deliver the public records sought by the requester, the university may inquire about the requester's identity and/or the intended use of the records requested. The university may do so, however, only after disclosing to the requester that a written request is not mandatory and that the requester may decline to reveal his or her identity or provide information about the intended use of the requested records.

II. Assisting with Requests

- A. If a requester makes an ambiguous or overly broad request or has difficulty making a request such that the university cannot reasonably identify the public records being requested, the university may deny the request, but is to provide the requester with an opportunity to revise the request by informing the requester of the manner in which public records are ordinarily kept and accessed. To facilitate crafting and revision of public records requests, the university shall make available a copy of its records retention schedules upon request. The University General Retention Schedule can be found at library.osu.edu/documents/records-management/general-schedule.pdf. Any additional schedules applicable to individual university units may be obtained by contacting the University Archives, 2700 Kenny Road, Columbus, Ohio, 43210.
- B. University offices should make every effort to respond with all deliberate speed to requests for records that are clearly public and easily accessible. When a request is other than routine (see I.C., above), the university office should follow-up with a response as soon as possible acknowledging receipt of the request and indicating that any responsive public records will be made available within a reasonable period of time. Once acknowledgement of the request is complete, the office shall contact the Public Records Office for guidance.
- C. The university may not limit the number of public records that it will make available to a single person, nor limit the number of public records that will be made available during a fixed period of time. The university may not set a fixed period of time before it will respond to a public records request.
- D. When a public records request is made to examine personnel records of a current employee, the university office will, to the extent practicable, endeavor to notify the employee of the request. Efforts to notify the employee may not delay timely processing of or responding to the request.

III. Making Records Available and Payment for Records

- A. Following receipt of a request, public records are to be made available for inspection promptly during regular business hours, with the exception of published holidays. The university must provide copies of records within a reasonable period of time. The prompt/reasonable period of time within which records must be made available to a requester will depend upon a number of factors, including the volume of the records requested, the ease of retrieval, the medium on which the records are stored, the need for any legal review, and any need for redaction.
- B. Public records must be made available for inspection free of charge during regular business hours. A university office may charge a requester the actual cost of producing copies, and may require advance payment of that actual cost and delivery expenses. A university office may not charge a requester for intermediate copies made for purposes of redaction.
- C. A requester may choose to receive copies of records on paper, in the same medium as the public office keeps them, or on any medium upon which the public office determines that the record can reasonably be duplicated in the normal course of operations. The requester may also choose the means by which copies will be



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delivered or transmitted. The university may charge the requester the costs associated with delivery or transmission.

IV. Denial of Records or Information Contained in a Record

- A. When making a public record available for public inspection or copying, the university shall notify the requester of any redaction (i.e., removal of information) or make the redaction plainly visible. A redaction is considered a denial of a request unless it is authorized or required by law. For example, Social Security numbers are to be removed from a record before it is released to protect constitutional privacy rights.
- B. If a record is ultimately denied, in part or in whole, the university shall provide the requester with an explanation, including legal authority stating why the record was not provided. If the initial request was made in writing, the response must also be provided in writing. A university office shall contact the Public Records Office before denying any request in whole or in part.

V. Contacting the Public Records Office

A requester should contact the Public Records Office at 614-292-6459 or via email at publicrecords@osu.edu if an acknowledgement of the records request is not received from the university after 10 days of submitting the request to verify that it has been received.

Responsibilities

Position or Office	Responsibilities
University Offices	<ol style="list-style-type: none"> 1. Acknowledge and assist requester by identifying responsive records. 2. Process routine and concise record requests.
Public Records Office	<ol style="list-style-type: none"> 1. Process and respond to records requests submitted to the Public Records Office. 2. Support and guide university offices receiving record requests. 3. Liaison between requesters and university offices when needed. 4. Provide the official response that includes legal authority when denying a request.

Resources

- Ohio Attorney General: Sunshine Laws Manual, ohioattorneygeneral.gov/Sunshine
- Ohio Public Records Act, codes.ohio.gov/orc/149.43
- University Communications, ucom.osu.edu/
- University General Records Retention Schedule, library.osu.edu/documents/records-management/general-schedule.pdf

Contacts

Subject	Office	Telephone	E-mail/URL
Public Records Request guidance/assistance	Public Records Office, Office of University Compliance and Integrity	614-292-6459	publicrecords@osu.edu compliance.osu.edu/

History

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