

Shawnee State University

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| AREA: | UNIVERSITY-WIDE POLICY | POLICY NO.: | 5.19REV |
| | | ADMIN. CODE: PAGE | 3362-5-20 |
| | | NO.: EFFECTIVE | 1 of 3 |
| | | DATE: | 9-14-07 |
| SUBJECT: | REQUESTS FOR ACCESS TO AND/OR COPIES OF PUBLIC RECORDS | RECOMMENDED BY: | R. Morris |
| | | APPROVED BY: | Board of Trustees |

1.0 PURPOSE

The purpose of this policy is to implement the Ohio Public Records Act, RC § 149.43, and provide for the consistent and prompt handling of requests for the inspection and copying of public records at Shawnee State University.

- 1.1 To the extent reasonably possible, the University will maintain public records in a manner so they can be made available for inspection as defined by statute.
- 1.2 Public records do not include medical treatment, intellectual property and donor profile records, educational records as defined by the Family Educational and Right to Privacy Act (20 USC §1237g) and regulations adopted thereunder (34 CFR Part 99), privileged communications or any other nonpublic records as defined by RC § 149.43. This policy does not address educational records. Access to such records is governed by the Board of Trustees Policy 3.04 titled "Collection, Maintenance, Access to, and Challenge of Student Education Records".

2.0 PROCESSING REQUESTS FOR RECORDS

- 2.1 Although a request does not have to be in writing, the requestor putting it in writing helps to eliminate misunderstandings in meeting the request. All requests for access and/or copying of public records are to be directed to the Office of the President. That office promptly will forward the request to the Division in which the records are maintained.
- 2.2 The office responsible for the records will copy the records requested and identify those records which are not releasable and the rationale. Information which is not releasable, such as social security numbers, will be redacted in a visible manner by the responsible office or shown as redacted on the requested records prior to release.
- 2.3 Prior to responding to the request, the office responsible for the records will obtain a legal review of their recommended disposition.
- 2.4 All requests for release or inspection of personnel records, other than internal file access and mailing addresses, should be reported to the individual whose records have been inspected or requested, as soon as practical after the request is received.

3.0 INTERNAL FILE ACCESS

This policy does not apply to the use of files for official University business by authorized individuals or to persons inspecting their own files. Requirements in collective bargaining provisions for access to personnel files will be followed insofar as the requirements do not conflict with the Ohio Public Records Law.

4.0 PROCEDURE

- 4.1 Requests will be honored as promptly as possible depending upon the normal workload of University personnel and the amount of work involved in assembling the documents and information. The University should respond to public records requests within five (5) working days. If a response cannot be provided within five (5) working days, an interim response will be sent to the requestor explaining the reason for the delay and when the records should be released.
- 4.2 Inspection of files will be conducted during regularly scheduled office hours in a location designated by the director of the office which maintains the records. In all cases, an SSU staff member will assist the requestor in handling the files or documents.
- 4.3 The law allows the requestor to have copies of University records made at their own cost. After the inspection, the office holding the records will make arrangements for any copying of the requested documents. The following procedure will generally apply:
 - 4.3.1 The requestor will not ordinarily be allowed to copy the records. A staff member will be used to do the copying.
 - 4.3.2 The requestor should identify the documents at the time of the inspection that are to be copied by the use of some identifiable means that will not alter or deface the document such as by colored paper clips, adhesive notes, etc.
 - 4.3.3 Copies will be made available for pickup or- mailed to the requestor as expeditiously as possible.
 - 4.3.4 The requestor may request the copies of the records be duplicated on paper or the same medium as the University maintains them, or on any other medium which the Director of the office maintaining the records determines the record can be reasonably duplicated as an integral part of the normal operations of the office.

5.0 CHARGES/COSTS

The University may recover the actual cost of making copies of documents requested under the Public Records Act. Payment of these costs are expected prior to the release of any documents. No charge will be assessed for staff time to research or make the copies. Actual costs are \$.05 per paper page; \$1.00 for compact disk; no charge for electronic transfer. Requests for records to be mailed will be charged for the postage and may be held until the requestor pays for the copies and the postage in advance.