

Canal Fulton Public Library Public Records Policy

- I. **MISSION STATEMENT** The Library believes that openness and transparency lead to a better-informed citizenry, which leads to better government, and better public policy. Consistent with the premise that government – at all levels - exists first and foremost to serve the interests of the people, the Library’s mission and intent is to fully comply with and abide by both the spirit and the letter of Ohio’s Public Records Act, R.C. 149.43 et seq., as may be amended from time to time.
- II. **DEFINING PUBLIC RECORDS**
 - A. All Library records are public unless they are exempt from disclosure under federal or Ohio law.
 - B. A record is defined as a document, in any format, that is created, received, or comes under the Library’s jurisdiction, and which documents the Library’s organization, functions, policies, decisions, procedures, operations, or activities.
 - C. A “public record” is a “record” that is being kept by the Library at the time a public records request is made, subject to applicable exemptions from disclosure under federal or Ohio law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.
- III. **RESPONSE TIMEFRAME** Public records are available for inspection during regular business hours, with the exception of published holidays. Public records shall be made available for inspection promptly. Copies of public records shall be made available within a reasonable period of time. “Prompt” and “reasonable” take into account the volume of records requested, staffing levels, the proximity of the location where the records are stored, the necessity for any legal review and redaction of the records requested, and other facts and circumstances of the records requested.
- IV. **RESPONDING TO REQUESTS**
 - A. No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the Library to identify, retrieve, and review the records.
 - B. A records request need not be in writing, and the requester does not have to provide the requester’s identity or the intended use of the requested public record. However, Ohio law permits the Library to ask for a written request, the requester’s identity, and/or the intended use of the information requested, but only (1) if a written request or disclosure of identity or intended use would benefit the requester by enhancing the Library’s ability to identify, locate, or deliver the public records that have been requested; and (2) after informing the requester that a written request is not required and that the requester may decline to reveal the requester’s identity or intended use of the requested records.
 - C. The Library must examine each public record request under both state and federal law, which are subject to constitutional and statutory law amendments and enactments, and an evolving common law. Therefore, a Library employee

who receives a public records request must advise the Director or Fiscal Officer without delay. The Director or Fiscal Officer shall evaluate and respond to the request. The Fiscal Officer shall track it for compliance and efficiency by maintaining a log of each public records request.

- D. In processing the request, the Library does not have an obligation to create new records or perform a search or research for information in the Library's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the Library's standard use of sorting, filtering, or querying features. Although not required by law, the Library should consider generating new records when it makes sense and is practical under the circumstances.
- E. In processing a request for inspection of a public record, a Library employee must accompany the requester during the inspection to make certain original records are not removed, altered, or destroyed.
- F. A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General's website ([www.OhioAttorneyGeneral.gov/Yellow Book](http://www.OhioAttorneyGeneral.gov/YellowBook)) for the purpose of keeping employees of the Library and the public educated as to the Library's obligations under Ohio's Public Record Act, Ohio's Open Meetings Act, records retention laws, and the Personal Information Systems Act.

V. ELECTRONIC RECORDS

- A. Records in the form of email, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape.
- B. Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of the Library are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

VI. DENIAL OR REDACTION OF RECORDS

- A. If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the Library cannot reasonably identify what public records are being requested, the request may be denied, but the Library must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the Library.
- B. If the Library withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions shall be redacted and the rest must be released. When making public records available for public inspection or copying, the Library shall notify the requester of any redaction or make the redaction plainly visible.
- C. The addresses and phone numbers of library employees are confidential and will

- be redacted, unless the employee provides a written release of said information.
- D. In compliance with Ohio Revised Code section 149.432, the Library supports and adheres to confidentiality relative to all library records which identify patrons by name or which link library patrons with specific library materials. Therefore, these records will not be provided to a routine public records request.

VII. COPYING AND MAILING COSTS

- A. Those seeking public records may be charged only the actual cost of making copies, not the labor cost. Copies are made by the Library and provided to the requester at the duplication charge that is currently assessed by the Library for photocopies.
- B. A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the Library's normal operations.
- C. If a requester asks that documents be delivered to them, they may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery. There is no charge for emailed documents.

VIII. MANAGING RECORDS The Library's records are subject to records retention schedules. The Library's current schedules are available in the Library's Fiscal Office, a location readily available to the public as required by Ohio Revised Code 149.43(B)(2).

IX. POLICY POSTING AND DISTRIBUTION The Library shall create a poster describing the above policy and post it in a conspicuous place in the Library. The full policy shall be included in the Employee Handbook and on the Library's website. The Library's record custodians (Director and Fiscal Officer) shall acknowledge, in writing, receipt of the full policy.

I acknowledge receipt of the Canal Fulton Public Library's Public Records Policy.

Signature & Title: _____

Date: _____

CANAL FULTON PUBLIC LIBRARY
PUBLIC RECORDS REQUEST

Your request is not required to be in writing, nor is it required that your name or intended use of the records be disclosed. The information requested on this form is intended only to enhance our response to your request.

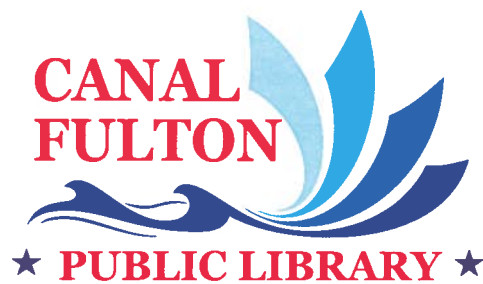
This form may be completed by the requester of the information or by an employee receiving the request. All requests should be **immediately** forwarded to the Director or Fiscal Officer.

Please print all information below.

Name of Requester	Today's Date
Complete Address	
Phone number	
Email address	
INFORMATION REQUESTED: Please be specific! Records sought must be identified with sufficient clarity to allow the Library to identify, retrieve and review the records.	
Type of Record Requested	
Relevant Date of Records	
Description	

RESPONSE (for office use only)

Acknowledgment to requester that request was received:
Date/method sent
Employee's name
Public records provided:
Date/method sent
Employee's name
Total Cost, if any:
Detailed breakdown of total cost (including postage, copies, etc.):
Attach to this form a copy of all communications with the requester and of all records provided and forward it to the Fiscal Officer for inclusion in the Log of Public Records Requests.



154 Market St. N.E. • Canal Fulton, Ohio 44614 • P: 330-854-4148 • F: 330-854-9520 • www.canalfultonlibrary.org

THE PUBLIC RECORDS POLICY OF THE CANAL FULTON PUBLIC LIBRARY

The public records policy of the Canal Fulton Public Library guides employees in making available the materials to which the public is entitled by law. The policy approved June 14, 2023, is summarized below, and appears in full in the Canal Fulton Public Library's Employee Handbook and on the Library's website. Also, a copy of the most recent edition of the Ohio Sunshine Laws: An Open Government Resource Manual, which explains open records law, is available free at www.OhioAttorneyGeneral.gov/YellowBook

DEFINING AND ORGANIZING PUBLIC RECORDS

The Canal Fulton Public Library, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic, including but not limited to, email, text messages or other electronic communications – that is created or received by, or comes under the jurisdiction of a public office that documents the organization's functions, policies, decisions, procedures, operations, or other activities of the office. All records are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

MAKING RECORDS ACCESSIBLE

Public records are available for inspection during regular business hours. Records must be provided promptly for inspections, and copies must be made available within a reasonable period of time.

PROCESSING REQUESTS

All requests for public records must either be satisfied or be acknowledged in writing or electronically as soon as is practicable. An oral response shall satisfy the requirement of a receipt when the requester does not provide an email or postal address. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement should include the following:

- An estimated number of business days it will take to satisfy the request;
- An estimated cost if copies are requested.

HANDLING ELECTRONIC RECORDS

Electronic records are to be treated in the same way as records in other formats. Email, text messages, and instant messages, for example, may be public records if their content documents the business of the office.

Public records content transmitted to or from private email accounts or personal devices are subject to disclosure. All employees or representatives of the Library are required to retain their email records and other electronic records in accordance with applicable records retention schedules.

DEALING WITH DENIALS OR REDACTIONS

If the office withholds, redacts, or otherwise denies a requested record, it must provide an explanation, including legal authority where applicable. If portions of a record are public and other portions are exempt, the exempt portions may be redacted while the rest are released. If there are any redactions, each identified redaction must be accompanied by a supporting explanation, including legal authority.

DETERMINING COPYING AND MAILING CHARGES

There is no charge to inspect public records. Those seeking public records will be charged only the actual cost of making copies, excluding labor, which will be the charge that is currently assessed by the Library for photocopies. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies, or other actual cost of delivery. There is no charge for emailed documents. The Library may require payment prior to providing copies of the requested records.

MANAGING RECORDS

Records retention schedules are also available in the Fiscal Office at the Library located at 154 Market Street East, Canal Fulton, Ohio 44614.

