

SECTION:	PS 5	PUBLIC ACCESS TO LIBRARY RECORDS
SUBSECTION:		
POLICY:	PS 5.1	PUBLIC RECORDS & REQUESTS
REVISIONS:		5/19/89; 7/21/99; 10/17/07; 5/19/21; 09/18/24

Access to information concerning the conduct of the people's business is a right of every person in this state. Records of the Ashtabula County District Library that are not exempt from disclosure under the law are available for inspection and copying in accordance with the Ohio Public Records Act, including but not limited to, Ohio Revised Code Sections 149.43 and 149.432. This policy establishes guidelines by which the Library, in accordance with state and applicable laws, will follow in respect to requests for its public records.

General definition

In accordance with the Ohio Revised Code and applicable judicial decisions, records are defined as any item that (1) contains information stored on a fixed medium (such as paper, electronic (including but not limited to, business e-mail), and/or other formats); (2) is created or received by, or comes under the jurisdiction of the Ashtabula County District Library; and (3) documents the organization, functions, policies, decisions, procedures, operations or other activities of the office.

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 Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

Documents which are not made public include, but are not limited to:

- Library registration, circulation, and other usage records of another person.

Records availability

As required by Ohio law, public records are to be made available for inspection promptly and copying at all reasonable times during regular business hours, exceptions only as provided for in the law such as published holidays. 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.

Record requests

Each request for public records should be evaluated as to an estimated length of time required to gather the records using the following guidelines:

- 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.
- The requester does not have to put a records request in writing, and does not have to provide their identity or the intended use of the requested public record. It is therefore the Library’s

SECTION:	PS 5	PUBLIC ACCESS TO LIBRARY RECORDS
SUBSECTION:		
POLICY:	PS 5.1	PUBLIC RECORDS & REQUESTS
REVISIONS:		5/19/89; 7/21/99; 10/17/07; 5/19/21; 09/18/24

general policy that such information is not to be requested when a records request is made. However, there are specific instances when the law does permit the Library to ask for a written request, the requester's identity, and/or the intended use of the information requested; these are: (1) if a written request of 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) the requester is fully informed that a written request is not required by law and that the requester is not compelled by law to reveal their identity or intended use of the requested document(s).

Oral requests may be left at the following number: 440-990-2323

Online requests may be made via the Library's web page at Contact Us or via email at PublicRecords@acdl.info.

Written requests may be made on the Library's Public Record Request form or by self-drafted inquiry. Requests must include a telephone number, email address, or other method to contact the requestor to clarify a request and/or advise when records are ready.

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.

In processing a request for inspection of a public record, a Library employee may accompany the requester during inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio's Sunshine Laws Manual is available via the Attorney General's website (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 Records Act, Ohio's Open Meetings Act, records retention laws, and Personal Information Systems Act.

It is the goal of the Library that all requests for public records should be acknowledged in writing or, if feasible, satisfied within three business days following the office's receipt of the request.

Electronic Records

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.

While private accounts and personal devices may not be public records, any public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or

SECTION:	PS 5	PUBLIC ACCESS TO LIBRARY RECORDS
SUBSECTION:		
POLICY:	PS 5.1	PUBLIC RECORDS & REQUESTS
REVISIONS:		5/19/89; 7/21/99; 10/17/07; 5/19/21; 09/18/24

representatives of the Library are required to retain their email records and other electronic records in accordance with applicable records retention schedules.

Denial of records request

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.

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 may 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.

Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies, not labor.

Paper copies shall be made at the Library's current cost per page.

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 Library determines that the record can reasonably be duplicated as an integral part of the Library's normal operations.

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.

Note: When the cost of collecting the charge exceeds the cost of copying the record, the Library may choose not to charge for a request, without waiving the policy.

Managing Records

The Ashtabula County District Library's records are subject to records retention schedules. The Library's current schedules are available in the Administrative Offices located on the second floor of the Ashtabula Public Library, a location readily available to the public as required by Ohio Revised Code Section 149.43(B)(2).

SECTION:	PS 5	PUBLIC ACCESS TO LIBRARY RECORDS
SUBSECTION:		
POLICY:	PS 5.1	PUBLIC RECORDS & REQUESTS
REVISIONS:		5/19/89; 7/21/99; 10/17/07; 5/19/21; 09/18/24

All public records request shall be directed to either the Library's Director or Fiscal Officer, who will coordinate the Library's response. All other library staff are prohibited from responding to a public records request.