

TUSCARAWAS COUNTY UNIVERSITY BRANCH DISTRICT

ADMINISTRATIVE POLICY REGARDING PUBLIC RECORDS

(A) Purpose.

It is the policy of Tuscarawas County University Branch District ("TCUBD") that openness leads to a better-informed citizenry, which leads to better government and better public policy. It is the policy of TCUBD to adhere to the Ohio Public Records Act. Because of its contractual arrangement with Kent State University, it is also the policy of TCUBD to adhere as closely as reasonably possible, and as appropriate, to the public records policy of the University. In all cases where this policy does not apply, the policy of Kent State University shall be applicable.

(B) Definitions.

- (1) *Record*. For the purposes of this policy, a record includes any document, device, or item, regardless of physical form or characteristic, including an electronic record; that is created or received by, or coming under the jurisdiction of TCUBD; and documents the organization, functions, policies, decisions, procedures, operations, or other activities of TCUBD.
- (2) *Public record*. A "record" as defined in this paragraph that is kept by TCUBD, subject to applicable exemptions from disclosure under Ohio or federal law. All public records shall be organized and maintained in such a way that they can be made available for inspection and copying.

(C) Implementation.

- (1) *Handling requests*. All requests for TCUBD public records shall be directed to the Office of the Dean ("OD"). 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 OD to identify, retrieve, and review the records.
 - (a) 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(s). It is OD's general policy that this information is not to be requested. However, OD may ask for a written request, the requester's identity, and/or the intended use of the information requested, if a written request or disclosure of identity or intended use would benefit the requester by enhancing the OD's ability to identify, locate, or deliver the public records that have been requested; and the requester is first told

that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

- (b) In processing the request, the TCUBD does not have an obligation to create new records or perform a search or research for information in TCUBD's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through TCUBD's standard use of sorting, filtering, or querying features.
 - (c) In processing a request for inspection of a public record, an OD employee may accompany the requester during inspection to make certain original records are not taken or altered.
- (2) *Response timeframe.* Public records are available for inspection promptly during regular business hours. Copies of public records shall be made available within a reasonable period of time.
- (a) "Prompt" and "reasonable" take into account the volume of records requested, the proximity of the location where the records are stored, the necessity for any legal review and redaction, and other facts and circumstances of the records requested.
 - (b) It is the goal of OD that all requests for public records should be acknowledged in writing or, if feasible, satisfied within three business days following OD's receipt of the request.
- (3) *Electronic records.* Records in the form of e-mail, 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. Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of the TCUBD are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.
- (4) *Denial and redaction of records.* If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that OD cannot reasonably identify what public records are being requested, the request may be denied, but OD will 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 OD.
- (a) If OD withholds, redacts, or otherwise denies requested records, it will provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation will also be in writing. If portions of a record are

public and portions are exempt, the exempt portions may be redacted, and the rest will be released.

(b) When making public records available for public inspection or copying, OD shall notify the requester of any redaction or make the redaction plainly visible.

(5) *Copying and mailing costs.* Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is ten cents per page. The charge for electronic files downloaded to a compact disc, USB flash drive, or other portable storage device is the actual cost of the device. A requester may be required to pay in advance for the actual costs involved in providing the copy.

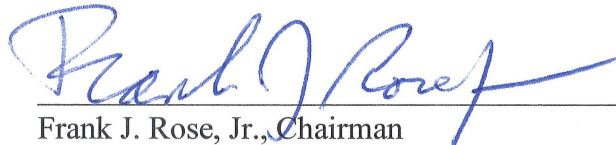
(a) The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which OD determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

(b) If a requester asks that documents be delivered to them, the requester may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery. There is no charge for e-mailed documents.

(D) Managing records.

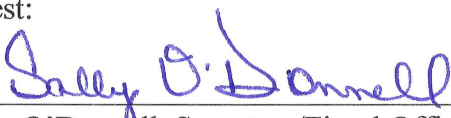
The Board of Trustees of TCUBD has adopted the record retention schedules of Kent State University as set forth at www.kent.edu/generalcounsel/record-retention-schedule as amended from time to time. A link to said site may be found at www.kent.edu/tusc/trustees, a location readily available to the public as required by division (B)(2) of Section 149.43 of the Ohio Revised Code.

Adopted by Resolution of the Tuscarawas County University Branch District Board of Trustees, on August 11th, 2020.



Frank J. Rose, Jr., Chairman
Tuscarawas County University Branch
District Board of Trustees

Attest:



Sally O'Donnell, Secretary/Fiscal Officer
Tuscarawas County University Branch
District Board of Trustees