Public Records

The Ohio State University
Public Records Policy
To facilitate prompt access to public records and to ensure compliance with the Ohio Public Records Act (Ohio Revised Code 149.43), all employees responsible for making University records available to the public are expected to comply with the University’s Records Policy.

I. Making a Request

To facilitate a timely response, members of the media seeking records should submit requests to the Office of University Relations, Rm. 08 C Bricker Hall, 190 N. Oval Mall, Columbus, Ohio, 43210. See http://www.relations.osu.edu/media_rel.php. Any other member of the public should submit requests to the University office having custody or control of the records. If you are the recipient of a Public Records Request, please forward the request to the department’s Administrative Coordinator for assistance and release of requested documents, if applicable.

If the University office (1) is unsure whether the requested records are public records or may contain information that is exempt under the law (e.g., student education records, trade secret, medical information), or (2) receives a records request from an attorney, it is to immediately notify the Office of Legal Affairs for guidance.

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity and specificity to allow the public office to identify, retrieve, and review the records. The University may decline to create a record that contains the information requested if the record does not already exist, or to seek out and retrieve records that contain specific information that may be of interest to the requester.

Requests may be made in person, by telephone, or in writing (including e-mail). The University may not 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 information 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 to provide information about the intended use of the requested information.

II. Assisting with Requests

If a requester makes an ambiguous or overly broad request or has difficulty in making a request such that the University cannot reasonably identify what public records are being requested, the University is to provide the requester with an opportunity to revise the request. In doing so, the University shall assist the requester by informing the requester of the manner in which the office keeps its records.
Should a request not be considered “routine,” such as a request seeking a voluminous number of copies or requiring extensive research or review, the University office should, whenever practicable, follow-up with a response indicating that it is in receipt of the request and that responsive records will be promptly made available for inspection or copied within a reasonable period of time. The University may not limit the number of public records requests that a single individual can make, nor limit the number of public records that will be made available during a fixed period of time.

When a public records request is made to examine a personnel file, the University office will, to the extent practicable, notify the employee that his or her records have been requested and, if known, the name of the individual making the request.

### III. Making Records Available and Payment for Records

Public records are available for inspection during regular business hours, with the exception of published holidays, and the University will provide copies of records within a reasonable period of time following the request. Records cannot always be made available for inspection or copying upon demand. Indeed, records often must be reviewed and non-public information removed before inspection or copying is permitted. The amount of time that records will be made available to a requester will depend upon, among other things, the number of records requested, the location of the records, the medium in which the records are stored, the need for legal review, and the need to redact information. The University office shall make available a copy of its records retention schedule upon request. The University General Retention Schedule can be found at http://library.osu.edu/sites/archives/retention/schedules.php

The University may require prepayment of costs associated with producing copies, including copying and mailing expenses. The University may charge only its actual cost of producing copies of the records.

### IV. Denial of Records or Information contained in a Record

When making a public record available for public inspection or copying, the University shall notify the requester of any redaction or make the redaction plainly visible. A redaction (i.e., removal of information) is permissible so long as authorized under applicable law. For example, Social Security numbers are to be removed from a document before it is released. Moreover, most student education records and records containing intellectual property or trade secrets are not to be disclosed.

If a record is ultimately denied, in part or in whole, the University shall provide the requester with an explanation, including legal authority, setting forth why the record was not provided. If the initial request was provided in writing, the explanation also shall be provided in writing. The University office is to contact the Office of Legal Affairs before denying any request in whole or in part—unless it has previously consulted with that office regarding applicable legal authority.

### V. Contacting Office of Legal Affairs

Should requesters not receive a communication from the University within 10 business days of issuing the request, they are encouraged to contact the Office of Legal Affairs at 614-292-0611.
Public Records FAQ

What is a "public record"?
A public record means any records kept by any public office, except those records that are otherwise identified as exempt under the Ohio Public Records Act or the release of which is prohibited by state or federal law.

Ohio Revised Code § 149.011(G):
As used in this chapter, "records" include [1] any document, device, or item, regardless of physical form or characteristic; [2] created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions; [3] which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

What types of documents at the University can be considered a public record?
Public records include, but are not limited to, personnel files; salary and compensation information; search records of personnel; meeting minutes; documents created and provided to parties outside the university, such as contracts and textbook lists for the upcoming quarter; and certain correspondence, in whatever medium or format including email, which documents University operations.

Is all information that is contained in a record disclosable?
Not all information contained in a record (or for that matter the record itself) is subject to release under the public records law. For example, Social Security numbers should always be removed from a document before it is released. Moreover, certain personally identifiable information of enrolled students and records containing intellectual property or trade secrets are not to be released.

Can an individual inspect a public record in person?
Yes. An individual may inspect records at a mutually convenient time arranged during business hours. However, if the person also would like copies of records and such records cannot be readily copied due to the volume or the need to remove certain information, you may have the requestor return at a later date to collect copies or make arrangements for copies to be mailed to the requestor.

Are there fees for retrieving and copying records?
The law allows us to require prepayment of costs associated with producing copies, including copying and mailing expenses. Generally, the University may charge only its actual cost of producing copies of the records.

What if my office or department receives a public records request?
As a public office, the University is required to provide records to a requestor within a reasonable period of time. All efforts should be made to comply with the individual's request within this timeframe. Sometimes, however, the request may be so broad and ambiguous that the request cannot be fulfilled. While an individual is not required to submit a request in writing to inspect or receive a copy of a public record, the university encourages the requestor to submit a written request as an
effort to minimize any confusion and to prevent any misunderstanding on either part as to the records
the requestor is seeking.

How do I respond to a public records request?
In general, all requests for documents related to the Department of Theatre should go through the
Department of Theatre’s Administrative Coordinator. If you receive a request, please forward it to the
office for assistance.

If you are unsure of whether the records sought are public records or may contain information that is
exempt under the law (e.g., student information, trade secret, medical information), then contact Jan
Alan Neiger in the Office of Legal Affairs. The law allows for legal review of a request before providing a
response.

Where can an individual make a public records request to the university?
If you are a member of the media seeking records, then please submit your request to the Office of
University Relations, Rm. 08 C Bricker Hall, 190 N. Oval Mall, Columbus, Ohio, 43210. See
http://www.relations.osu.edu/media_rel.php.

All other members of the public should submit their requests to the administrative or college office, if
known, having custody of the records. For records related to the Department of Theatre, please
submit request to:

    Administrative Manager
    Department of Theatre
    1089 Drake Center
    1849 Cannon Drive
    Columbus, Ohio 43210

    Phone: 614-292-5080
    Fax: 614-292-3222

Resources and Links
The Ohio Public Records Statute is codified in Ohio Revised Code 149.43, and can be found on line at:
http://codes.ohio.gov/orc/149.43

The Office of the Ohio Attorney General publishes a handbook entitled "Ohio Sunshine Laws Update,"
which can be found on the Attorney General's website at:
http://www.ag.state.oh.us/legal/sunshine.asp