
Applies to: Faculty, staff, student employees, students, and volunteers

POLICY

It is the policy of Central Ohio Technical College to comply fully with the letter and the spirit of the Ohio Public Records Act. In accordance with this policy, the College shall release a public record to a requester unless that record meets an exception listed in the Act that would prevent the College from making the record publicly available.

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 College records available to the public are expected to comply with the College's Records Policy. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

Definitions

Term	Definition
Record	A document in any format— paper, electronic (including, but not limited to, business e-mail) – that is created, received by, or comes under the jurisdiction of Central Ohio Technical College that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the college or office.

PROCEDURE

I. Making a Request

To facilitate a timely response, members of the media seeking records should submit requests to the Office of Marketing and Public Relations, Founders Hall, Room 1176, 1179 University Drive, Newark, Ohio, 43055. See <http://www.cotc.edu/FACULTY-AND-STAFF/MARKETING-PUBLIC-RELATIONS/Pages/index.aspx>. Any other member of the public should submit requests to the College office having custody or control of the records.

All public records requests must be reported to the appropriate senior administrator. If the College 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 the President 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 College 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 College 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 College to identify, locate, or deliver the public records sought by the requester, the College may inquire about the requester's identity and/or the intended use of the information requested. The College may do so, however, only after disclosing to

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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 College cannot reasonably identify what public records are being requested, the College is to provide the requester with an opportunity to revise the request. In doing so, the College 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 College 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 College 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 College 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 College 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 College’s records are subject to records retention schedules. The College follows The Ohio State University General Retention Schedule that can be found at <http://library.osu.edu/documents/records-management/general-schedule.pdf>.

The College may require prepayment of costs associated with producing copies, including copying and mailing expenses. The College 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 College 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 College 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 College office is to contact the Office of the President before denying any request in whole or in part—unless it has previously consulted with that office regarding applicable legal authority.

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V. Contacting Office of the President

All college offices that receive public records requests should contact the Office of the President so that such request can be logged and documented.

Should requesters not receive a communication from the College within 10 business days of issuing the request, they are encouraged to contact the Office of the President at 740.364.9510.

Responsibilities

Position, or Office	List of Responsibilities
Employees responsible for making College records available to the public	<ul style="list-style-type: none"> • Make public records available for inspection • Log all public records requests with the Office of the President. • Reported the records request to the appropriate cabinet member • Redact appropriate information from requested records. • Before denying any request, contact the Office of the President. • If a record is denied, provide the requestor with an explanation setting forth why the record was not provided. • If the request is for a personnel file, notify, to the extent possible, the employee that his or her records have been requested and, if known, the name of the individual making the request.
Public records requestor	<ul style="list-style-type: none"> • Contact the Office of the President if have not received communication from the College within 10 business days of issuing a request.

Resources

Ohio Sunshine Laws manual – <http://www.ohioattorneygeneral.gov/YellowBook>

Ohio Public Records Act (Ohio Revised Code 149.43) - <http://codes.ohio.gov/orc/149.43>

Contacts

Individual or Office	Office	Telephone	E-mail/URL
Jan Tomlinson	Office of the President	740-364-9510	jtomlin@cotc.edu

History

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