

MADISON PUBLIC LIBRARY POLICY MANUAL

SECTION: Public Records Policy

Effective: September 2017

SECTION 1 PUBLIC RECORDS

The library, in accordance with the Ohio Revised Code Section 149.43, defines records as any document including paper, electronic or other format that is created or received by or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of Madison Public Library that document what the library does are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

SECTION 1.1

It is the policy of Madison Public Library that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.

SECTION 2 RECORD REQUESTS

Each request for public records will be evaluated for a response using the following guidelines:

SECTION 2.1

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 library to identify, retrieve and review the records. If it is not clear what records are being sought, the records custodian will contact the requester for clarification.

SECTION 2.2

The requester does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public record.

SECTION 2.3

Public records will be made available for inspection during regular administrative business hours, with the exception of published holidays. Public records will be made available for inspection promptly. Copies of public records will 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.

SECTION 2.4

All requests for public records will be satisfied as quickly as staffing and equipment allow following the library's receipt of the request. If a request requires a voluminous number of copies or extensive research, then the acknowledgement will include the following: the estimated number of business days it will take to satisfy the request, the estimated cost if copies are requested and any items within the request that may be exempt from disclosure.

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SECTION 2.5

Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions will be redacted and the rest released. If there are redactions, they must be accompanied by a supporting explanation, including legal authority.

SECTION 3 COSTS FOR PUBLIC RECORDS

Those seeking public records will be charged only the actual cost of making copies. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies. Advance payment for the costs incurred is requested.

SECTION 4 E-MAIL

As defined by the Ohio Revised Code, documents in electronic mail format are records when their content relates to the business of the library. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

SECTION 4.1

Records in private e-mail accounts used to conduct public business are subject to disclosure and all employees or representatives of the library are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to copy them to their business e-mail accounts and/or to the office's records custodian.

SECTION 4.2

The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

SECTION 5 FAILURE TO RESPOND TO A PUBLIC RECORDS REQUEST

Madison Public Library recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, Madison Public Library's failure to comply with a request may result in a court ordering the library to comply with the law and to pay the requester attorney's fees and damages.
