

 <p>Category: Administration</p> <p>Policy applicable for: Faculty/Staff All persons seeking public records</p>	<p><i>Policy Title:</i> Public Records</p> <p>Effective Date: 9/23/2008</p> <p>Prior Effective Date: 11/9/2007</p> <p>Enabling Acts: O.A.C. 3361:10-43-10(G)</p>	<p><i>Policy Number:</i> 1.8.1</p> <p>Policy Owner: Office of General Counsel</p> <p>Responsible Office(s): Office of General Counsel Office of Governmental Relations and University Communications</p>
--	--	---

Background

The University of Cincinnati is a public institution and, as such, is subject to the provisions of the Ohio Public Records Act. In general, the Ohio Public Records Act requires that records that document the organization, functions, policies, decisions, operations or other activities of the university be made available to any member of the general public upon request. This policy is intended to ensure that all requests for public records are handled in an efficient and timely manner, without undue disruption to the operations of the university. All university personnel are therefore required to comply with this policy, and all persons seeking to inspect or obtain copies of university records are strongly urged to follow the procedures set forth in this policy for requesting records so that their requests might be handled efficiently and in a manner that complies with the law. This policy does not apply to the use of records for official university business or to persons who desire access to their own records.

Responsible Office

The university's Office of General Counsel is responsible for receiving and responding to requests for public records and for the promulgation of policies governing that process. Within that office, the Public Records Manager coordinates the university's response to public record requests.

Instructions for Requestors

Requests to inspect or copy public records need not be in writing, and you cannot be required to identify yourself by name, or the purpose of the request. Such information may be requested where it might assist in identifying the records being sought, but disclosure of this information is strictly voluntary and you will be advised of the same at the time of the request.

While requests need not be in writing, the university strongly encourages that the records being requested be described in writing. A written request benefits both you and the university by memorializing exactly the records being requested and when the request is being made. This can eliminate the confusion or misunderstandings that sometimes occur when requests are made orally, particularly for those requests that seek a large number of records. Submit requests to one of the following three offices:

Public Records Manager
Office of General Counsel
University of Cincinnati
PO Box 210623
Cincinnati, OH 45221-0623
(513) 556-3483

Public Records Manager
Office of General Counsel
University of Cincinnati
PO Box 670661
Cincinnati, OH 45221-0661
(513) 558-3485

Public Records Manager
University Communications
University of Cincinnati
PO Box 210065
Cincinnati, OH 45221-0065
(513) 556-1822

If you choose to make a written request, it will greatly expedite the process if you will include your contact information and indicate whether you wish to merely inspect the requested records or desire copies, and whether you would prefer paper copies or another medium. The university can provide records on certain media as an integral part of the normal operations of the university. The default medium is paper copies sent in the mail. Should you have any questions, call or visit the Office of General Counsel, 650 University Pavilion (513-556-3483) or 368 University Hall (513-558-2044).

Although no specific language is required to make a request, you must at least identify the records requested with sufficient clarity to allow the university to identify and retrieve the records. The university is under no duty to seek out and retrieve records that may contain specific information that is of interest to you. For example, a request for any and all records containing any reference to a particular person or subject is overly broad and inappropriate. In such cases the university will contact you to provide you with an opportunity to revise the request and shall assist you by providing information as to the manner in which records are kept. The university's obligation to make records available extends only to existing records; the university is under no obligation to create a record that contains the information requested.

Instructions for University Personnel

Requests for public records are not required to be in any particular form or format. Such requests may or may not be in writing and may or may not make reference to the Public Records Act. Requests may be made in person, in writing, by email, by telephone or any other medium. The identity of the requestor or the intended use of the records may not be required as a condition of disclosure. It is the responsibility of all university personnel to recognize that no request for university records by the public, however it might be made, should be ignored or refused; always consult with the Office of General Counsel.

If a request is made directly to a university office, university personnel shall promptly contact the Public Records Manager in the Office of General Counsel. University personnel are reminded that any legal discovery or process involving the university, including a subpoena or summons, should also be referred to the Office of General Counsel without delay. For certain types of routine requests, after consultation with the Office of General Counsel, the university office may be permitted to respond directly to the requestor.

All university personnel should be familiar with the university records management and retention policies as well as the specific policy applicable to his or her workplace. In particular, the records retention schedule of each university unit should be readily available and should be followed by all personnel in that unit as to all applicable records, including email.

Responses to Requests

The university shall endeavor to respond in some fashion to all requests for public records within three business days of receipt by an office designated above. The university shall satisfy requests for records with reasonable promptness, taking into consideration 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 non-public information. Inspection of public records is permitted only during normal business hours.

Requestors shall be charged only the actual cost of copying and transmitting requests. The charge for paper copies made by the university is 5 cents per page. Or, if the university retains a private contractor for copying services, the university will charge only the actual costs charged by any such private contractor.

For large requests, the university may require advanced payment of copying and postage costs.

The university's response to a request for public records will include a transmittal letter. If records have been redacted (had specific information removed) or held exempt from disclosure, the transmittal letter will provide explanations, including citations to the law, for each such redaction or exemption. All redactions will be plainly visible on the records disclosed.

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

Additional Resources for University Personnel

If you are unsure of your unit's records retention schedule, have questions about records retention and management, or would like assistance in creating or updating your unit's records management process, contact the [University Records Manager via this link](#) or by phone at 556-1958.

For a copy of the [university-wide records management rule](#), [click here](#), or call the University Board of Trustees at 556-3233 and ask for rule 3361:10-43-10 of the Administrative Code.

Related links:

[For more information about access to your own personnel file](#)
[For more information about the Public Records Act](#)

Phone Contacts:

Office of General Counsel	513-556-3483
Office of the University of Cincinnati	513-556-3233
Board of Trustees	
Office of Governmental Relations and University Communications	513-556-1824