

Public Records Request

The Wayne Public Library system as a political subdivision of the State of Ohio, is subject to the Ohio Public Records Act as found in Section 149.43 of the Ohio Revised Code. All requests made under the Act will be reviewed and responded to in a timely basis.

Public Record Defined

Section 149.43(A)(1) defines a public record as follows: (1) "Public record" means any record that is kept by any public office. Therefore, the Wayne Public Library makes the assumption that everything in any file may be subject to the Ohio Public Records Act, except those items identified as exceptions in the law. This would not only include paper documents but also email, computer files and other electronic data, photographs and videos.

Record Retention Schedule

It is the policy of Wayne Public Library System that, as required by Ohio law, records will be organized and maintained so that they are available for inspection and copying in accordance with the Ohio Public Records Law. The Records Retention Schedule is also available upon request.

Request for Public Records

A request for records under the Ohio Public Records Act may be verbal or in written form. A written request should be sought, but is not required, in order to clarify what records are being requested. However, when an oral request is received, it is required that the employee receiving the request understands clearly what documents are being requested. The oral request must be reduced to writing as an internal memorandum to be kept on file with the response and copies of documents provided, time spent on the search and review of records and any other pertinent information. Written requests for public records should also be kept on file and are reported to the Board by the Chief Fiscal Officer

All public records requests should be directed to the Fiscal Officer, or in the absence of the Fiscal Officer to the Director. They will review the request, consult with legal counsel as necessary, and determine whether the requested records fall within the Public Records Act. It is extremely important that these requests be given priority.

Response to Request (See, Section 149.43(B)(1), Ohio Revised Code)

A request may involve an individual wanting to inspect records or to receive copies of records. A valid public records request shall be promptly prepared and made available for inspection by any person during regular administration business hours subject to

certain exceptions. Upon request, the person responsible shall make copies available “at cost within a reasonable period of time”. The scope and volume of the request will dictate the timeliness of the prompt response. Cost should be determined from time to time so as to be in compliance with the statute. The requestor will not be permitted to make their own copies of the request records. No original documents will be permitted to leave the control of the Wayne Public Library but may be inspected under supervision.

If a request is to be denied, the Chief Fiscal Officer or designee will direct the response to the requestor.

Types of Records

Public offices generally hold three types of records:

- a. Public records that are not subject to any exception, which must be released;
- b. Public records that are subject to an exception, which may be released if the public office chooses to waive the exception; and
- c. Highly confidential records the release of which is prohibited by law and must not be released, even if the public office would like to do so.

Exceptions to the Public Records Act

Exceptions to the Public Records Act are defined in the Ohio Revised Code and will be reviewed prior to inspection or releasing any records.

Patron Records

Patron records are not considered Public Records. See Records Retention Policy for record kept by Wayne Public Library which are considered public records and subject to this policy. .

CONTACT PERSON: The Library’s Fiscal Officer

LOCATION: 137 E. Main Wayne, Ohio 43466

COST: Records may be inspected without cost.

Paper copies are 15 cents per page, unless a specific fee is otherwise established by law. Copies in other medium are charged at actual cost.

AVAILABILITY: Records will be made available promptly and within a reasonable time to allow exempt information to be redacted in accordance with Ohio Revised Code 149.43.

See attached Ohio Sunshine Laws 2022 for explanation.

