



Effective Date: December 2016

Approval: December 17, 2016;
University President

Maintenance of Policy: Responsible
University Official

PURPOSE: In light of an Ohio Supreme Court decision addressing the records of police departments at private universities issued dated May 21, 2015, the University of Dayton Police Department is subject to State of Ohio Public Records law as outlined in O.R.C. § 149.43. This policy charges the University Police Department with compliance with Ohio Public Records law.

SCOPE: This policy applies to faculty, staff, students, and individuals requesting records.

DEFINITIONS:

1. **Public Record**—any document, device, or item, regardless of physical form or characteristic, including electronic record, created or received by or coming under the jurisdiction of the University Police Department that serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the department (ORC 149.011(G)).

POLICY:

- I. **PUBLIC RECORDS MANAGEMENT.** The University of Dayton Police Department manages public records in accordance with the provisions of O.R.C. § 149.43 and other applicable laws and regulations. This management of records includes but is not limited to the following:
 - A. Appointment of a records manager.
 - B. Processing of public records requests.
 - C. Maintenance of all required public records documents and recordkeeping.
 - D. Coordination of responses to potentially significant requests with the Office of Legal Affairs and Office of Media Relations prior to release.

REFERENCE DOCUMENTS:

1. *State ex rel. Schiffbauer v. Banaszak et al.*, 142 Ohio St.3d 535, 2015-Ohio-1854.
2. Ohio Revised Code § 149.43
3. University of Dayton
Department of Public Safety
General Order 1.01-3

POLICY HISTORY:

Approved in its original form:
December 17, 2015

POLICY (continued):

II. PUBLIC RECORDS REQUESTS

- A. Requests to inspect or copy public records should be made to the Office of Public Safety. If a request is made to any other University office, that office will immediately direct the requester to the Department of Public Safety records manager for handling.
- B. Public records may be inspected by appointment during regular business hours. Such appointment will be made promptly (*e.g.*, within 24 to 48 hours) following a request for inspection.
- C. Public records will be provided within a reasonable amount of time following a request. The amount of time will depend on factors including but not limited to the number of records requested, the medium in which the records are stored, the need to redact non-public information and other factors unique to the records requested.
- D. The records manager may deny a request for an ambiguous or overly broad request, *e.g.*, where the records being requested cannot reasonably be identified, the request is unduly burdensome, etc.
- E. The Office of Legal Affairs and Office of Media Relations will provide assistance in the handling of public records requests, as needed.

III. PUBLIC RECORDS RETENTION AND DISPOSAL.

- A. The Public Safety records manager will prepare and maintain a records retention schedule for public records, which shall be approved by the University Board of Trustees.
- B. The records manager shall oversee the maintenance, disposal of and archival of public records in accordance with the records retention schedule.