

# Akron Beacon Journal

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## EDUCATION

# Akron schools ban disappearing emails in new public records policy



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## Key Points

The Akron school board revised the district's public records policy that was adopted in 1998 and last revised in April 2017.

The changes include banning the use of disappearing emails and encouraging employees to promptly respond to requests for information.

The revised policy keeps the fee for copies of public records at 10 cents per page.

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Akron Public Schools employees no longer can send [disappearing emails](#) and are now encouraged to respond to public requests for information under the district's [revised public records policy](#).

The Akron school board voted 7-0 on May 26 to revise the district's public records policy – [Board Policy 8310](#) – which was adopted in 1998 and last revised in April 2017.

Rev. Gregory Harrison, chair of the policy committee that oversaw the changes, said the revisions are intended to make the district more responsive and transparent to those who want to learn more about its operations.

“We believe the public records policy, with the revisions, is a policy that reflects the current state of what we are trying to accomplish as a district with our transparency,” said Harrison during a recent committee meeting.

The changes come as the district has seen a spike in public records requests. District officials say the district received fewer than 60 records requests a year five years ago and now receives hundreds of requests a year.

The district has appointed Treasurer Wayne Bowers II as its records custodian but the revised policy reiterates that the board retains its oversight responsibility for ensuring the district complies with the state public records law.

Here are five things to know about the district's revised public records policy:

## **1. Policy incorporates Ohio's public records law**

The revised policy still uses Ohio's public records law as its foundation. It defines a public record as any document, device or item, regardless of physical form or characteristic, that serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the district.

Examples of public records include emails, text messages, financial records, contracts, board agendas and minutes, audio or video recordings, photographs, electronic databases, spreadsheets and cloud-based documents related to district business.

Medical records, trial preparation records, confidential law enforcement investigatory records and other records that cannot be released under state or federal law are not public records under state law and the district's policy.

Documents that do not document district operations or activities also are not public records, and the district is not obligated to create new records in response to a public records request.

Similar to state law, the district's policy states that requesters are not required to provide their identity or the intended use of the public records. The request for records does not need to be in writing and does not need to contain specific language but should detail the records being requested enough to allow the district to identify them.

## 2. Policy now addresses requests for information

The new policy separates requests for records from a request for information. It defines a request for information as seeking explanations, interpretations, summaries, analyses, opinions or the creation of new records or new data compilations. A request for information is not considered a public record request under state law and the revised policy.

But the revised policy states that the district shall provide publicly available information promptly and efficiently in response to such requests, when feasible.

“This practice is intended to promote transparency, facilitate open communication with the community and support public confidence in the district’s governance and operations,” the policy states.

## 3. Public records to be ‘readily available’

Under the revised policy, district officials still are required to keep public records organized and maintained so they are “readily available” for inspection and copying. Similar to state law, no specific timeframe is given in the policy for how many days the district has to fulfill a request. Instead, the policy says records shall be “promptly” prepared for inspection and ready within a “reasonable” amount of time when copies are requested.

New to the policy is a requirement that the district maintain a log or tracking system to document public records requests received. The log must include the date the request is received, a general description of the records requested and the date the request was fulfilled or closed.

The revised policy states the district must acknowledge receipt of a public records request within a reasonable period of time, which it defines as generally not to exceed three business days, when possible.

The records custodian still must give the requester an estimated time that it will take to gather the records.

## **4. No disappearing emails allowed**

The revised policy bans employees from using confidential modes of communication, disappearing or auto-delete messages or encrypted messaging applications to evade the creation, retention or disclosure of public records.

Previous reporting by the Akron Beacon Journal found that former Akron Superintendent Michael Robinson and his then-chief of staff Angela Carter used a "confidential" feature in Gmail to send emails to district staff members in 2024 that disappeared after a certain amount of time.

One public records expert said the use of the function in a government setting was likely a violation of public records law and opened the district to liability. Harrison had raised concerns about the disappearing emails in November 2024, and the district's teachers union had threatened legal action.

## **5. Fees to stay the same – for now**

The new policy retains the same fees as the previous policy.

The charge for paper copies is 10 cents per page. The charge for downloading computer files to a compact disk is \$1 per disc. There is no charge for documents sent via email.

Requesters also must pay for postage and mailing supplies in advance if they want the responsive records sent by mail. The policy continues to limit the number of records the district will transmit by U.S. mail to 10 per month, unless the person certifies in writing that he or she does not intend to use the record for commercial purposes.

During a recent committee meeting, Board President Barbara Sykes questioned whether the fees should be raised. She noted that commercial printing centers typically charge more money for copies, and that fulfilling the requests takes staff time and causes wear and tear on the equipment. She also questioned whether

higher fees would help to dissuade requesters who seek a large amount of documents that they use for profit.

Harrison said the fees could be reviewed in the future, but committee members sought to keep the cost the same now to avoid adding a burden to the average requester.

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