



James E. Shepard, Founder

REG - 01.04.5 - PUBLIC RECORDS REQUESTS REGULATION

Authority: Chancellor

Responsible Office: Office of Communications and Marketing

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History: Effective Date: June 9, 2016, Last revised August 1, 2017

Related Policies/Sources: [NC General Statute Chapter 132](#), [NC General Statute Section 132-6.2 \(Provisions for copies of public records; fees\)](#), [NCCU Family Educational Rights and Privacy Act \(FERPA\) Regulation \(NCCU REG 10.04.01\)](#), [NC General Statute Section 126-23 \(Certain records to be kept by State agencies open to inspection\)](#), [NCCU Public Records Request Portal](#),

Contact Info: Associate Vice Chancellor of the Office of Communications and Marketing, 919-530-7266, universityrelations@ncsu.edu

1. Purpose

North Carolina Central University (NCCU), as a constituent institution of the University of North Carolina and an agency of the State of North Carolina, is open and responsive to information requests from the public and the news media. NCCU is committed to a policy of openness, honesty and cooperation with members of the public and the news media. In instances where there is a question about the legality of releasing information, campus units receiving public records requests should consult with the Office of Legal Affairs. This regulation is implemented in accordance with the NC Public Records Law, N.C.G.S. Chapter 132.

2. Scope

This regulation applies to all requests for public records made to NCCU, regardless of requester. All requests should be provided in writing via the NCCU Public Records Request portal in order to create appropriate documentation for monitoring time and cost and billing as needed. If you are unable to make a request in writing, please contact the Office of Legal Affairs at 919-530-6105.

3. **Definitions**

A "public record" means all records created or received in the course of university business, in whatever format, including but not limited to paper, photographs, recordings, emails or digital images, unless an exception applies under federal or state law.

4. **Public Records Publicly Available**

4.1 All requests that are "public records" as defined by Section 3 of this regulation received via the NCCU Public Records Request portal may be posted and made publicly available via the portal.

4.2 Requests for student information will not be posted on the portal and will not be made publicly available even if the information is directory information pursuant to Section 5.2.1 of this regulation.

4.3 Requests for employee information made pursuant to N.C. General Statute §126-23 may be posted on the portal and made publicly available in the sole discretion of the University.

5. **Public Records Requests and Release of Information**

5.1 Requests from News Media

5.1.1 Office of Communications and Marketing is the principal liaison with the news media. News media requests for information should be directed to the Associate Vice Chancellor for Office of Communications and Marketing via the NCCU Public Records Request portal. Please direct all media requests to Office of Communications and Marketing via the portal by choosing "Office of Communications and Marketing" in the drop-down menu on the [Request a Public Record](#) page of the portal.

5.1.2 News media requests for information received by NCCU departments should be forwarded immediately to the Associate Vice Chancellor for Office of Communications and Marketing. Office of Communications and Marketing may route non-media requests for records to the Office of Legal Affairs, or the appropriate custodian of records, for processing.

5.2 Requests for Student Information

5.2.1 All requests for student directory information, as that term is defined in NCCU's Family Educational Rights and Privacy Act (FERPA) Regulation ([NCCU REG 10.04.01](#)) should be in writing.

5.2.2 Requests for student information should be directed to the University Registrar via the NCCU Public Records Request portal. Please direct all requests for student information to the Registrar's Office via the portal by choosing "Registrar's Office" in the drop-down menu on the [Request a Public Record](#) page of the portal.

5.2.3 Requests for non-directory student information will not be honored unless accompanied by a signed and notarized release of information from the student or the dependent student's parent or guardian.

5.3 Requests for Employee Information

5.3.1 All requests for employee information open to public inspection, as listed in Section 126-23 of the North Carolina State Human Resources Act, should be in writing.

5.3.2 Requests for employee information should be directed to the Chief Human Resources Officer via the NCCU Public Records Request portal. Please direct all requests for employee information to the Department of Human Resources via the portal by choosing "Department of Human Resources" in the drop-down menu on the [Request a Public Record](#) page of the portal.

5.4 Requests for Information from the Department of Athletics

5.4.1 All requests for information involving a head coach or assistant coach within the Department of Athletics, and requests for information regarding game and other athletics contracts, should be in writing.

5.4.2 Requests for athletics records should be directed to the Athletics Director via the NCCU Public Records Request portal. Please direct all requests for athletics records to the Department of Athletics via the portal by choosing "Department of Athletics" in the drop-down menu on the [Request a Public Record](#) page of the portal.

5.5 All Other Requests from Individuals

5.5.1 Individuals who seek public records from NCCU, other than news media requests, student records, employee records or athletic records, must submit a written request to the Office of Legal Affairs via the NCCU Public Records Request portal. Please direct all requests not addressed in Sections 5.1, 5.2, 5.3 and 5.4 of this regulation to the Office of Legal Affairs via the portal by choosing "Office of Legal Affairs" in the drop-down menu on the [Request a Public Record](#) page of the portal.

5.5.2 NCCU employees who receive a public records request directly from an individual should direct the requester to the NCCU Public Records Request portal.

5.5.3 NCCU employees must consult and receive the approval of an attorney in the Office of Legal Affairs before releasing any records or other information or otherwise responding to a public records request.

6. Copying Fees

6.1 If the requester asks for copies of documents, NCCU may charge for the actual costs of the copies. Generally, NCCU will not charge for the costs of copies unless the number of pages exceeds fifty (50) pages. Thereafter, the charge will be five (5) cents per page for every page over 50 copied in black and white and capable of being reproduced in-house. If for any reason a request requires special handling (e.g., color copies, out-sourcing of copying function, etc.), the actual cost of such handling shall be calculated on a case-by-case basis.

6.2 If the requester asks for documents in some other medium (e.g., disk or flash drive), NCCU may charge the actual charge for the media provided.

6.3 If the requester requests transmission of the documents via email or

other electronic means, NCCU may charge only for the special service charge described in Paragraph 7, if applicable.

6.4 The person responding on behalf of NCCU shall provide an estimate of the copying cost to the requester prior to making or releasing the copies, and allow the requester the option of either agreeing to pay the charge or revising the request.

6.5 Multiple requests within a short period of time (up to 90 days) from the same individual or organization on the same or related topic will be considered a single request for purposes of determining whether to charge under this section.

7. Special Service Charge for Extraordinary Public Records Requests

7.1 If the request requires extensive use of information technology resources or extensive use of personnel for clerical or supervisory assistance, or if producing the records in the medium requested results in an excessive use of information technology resources, then NCCU may charge, in addition to the copying fee, a special service charge. The special service charge will be reasonable and no greater than the actual costs incurred. For purposes of this section, NCCU considers more than four (4) hours required to respond to a request as constituting an extensive use of personnel.

7.2 If preparation of the response requires the extensive use of personnel, NCCU will charge a presumed rate of \$18.00 per hour for each hour, in excess of four hours, required to respond to the request. The Office of Legal Affairs will provide an estimate of the costs for an extraordinary request prior to making the records available for inspection or release and allow the requester the option of either agreeing to pay the charge or revising the request to narrow its nature or scope. Multiple requests within a short period of time from the same individual will be considered a single request for purposes of determining whether to charge under this section.

8. Accounting for Time Spent Handling Public Records Requests

8.1 To the extent practicable, all employees involved in fulfilling a public records request shall maintain a reasonable approximation of the time spent on that task to the nearest half hour.

8.2 The approximation of time spent shall be maintained regardless of whether or not the employee's time is used to calculate a copying fee or service fee as described hereinabove.