

ELIZABETH CITY STATE UNIVERSITY
Policy and Procedures for Responding to Requests for Public Records

Preamble

As a constituent institution of the University of North Carolina and agency of the State of North Carolina, Elizabeth City State University (ECSU) creates and receives records in the normal course of its business. Unless an exception applies under state or federal law, records created or received in the normal course of business are public records. This policy shall govern the manner in which ECSU will respond to requests for public records.

1. Policy Statement

ECSU is committed to responding to requests for public records within reasonable timeframes. The response time will vary depending on the nature and scope of the request.

2. Initiating and Processing Public Records Requests

a. Initiating a Public Records Request

Individuals or entities seeking public records from ECSU must initiate the request by submitting a written request to Legal Affairs. The written request must specify whether the requestor wants to gain access to records for inspection or to obtain copies of public records. The written request may be submitted by mail, hand delivery or electronically and must identify the specific records being requested.

b. Processing a Request for Public Records

Once a request for public records is received, ECSU will determine whether or not the requested records are public records or confidential records under an applicable exception to state or federal law. ECSU will only provide copies or access to public records. The requested public records must exist in the normal course of ECSU's business.

i. Inspection of Public Records

If the requestor seeks access to public records for inspection, access will be allowed at reasonable times during regular business hours and under reasonable supervision.

ii. Copies of Public Records

1. First Ten Pages

ECSU will not charge for copies of the first ten pages of documents compiled in response to a request for public records.

2. Copies Exceeding Ten Pages

After the tenth page, ECSU will charge a fee of ten cents per page (\$.10/page) for documents compiled in response to a request for public records.

3. Materials and Mailing Costs

ECSU shall charge the requestor the actual cost of materials and mailing fees, if any, incurred in responding to a public records request.

iii. Extraordinary Public Records Requests

Requests for public records that will involve four (4) hours or more of employee time are considered extraordinary requests for public records.

1. Special Service Fee

If four or more hours of an employee's time will be needed to respond to a public records request, the requestor will be charged a special service fee of twenty dollars per hour (\$20.00/hour) after the fourth hour. The special service fee will be charged in addition to the cost of copying, the actual cost of materials used and the mailing cost, if applicable.

iv. Cost Estimate

ECSU will provide the requestor with a written invoice of the total cost associated with responding to the requested public records prior to making the documents available or delivering copies. The requestor must submit payment of the total cost, if applicable, before the processing will be finalized. If, during processing ECSU determines that the original estimate was too low or too high, Legal Affairs will suspend the process and notify the requestor of the cost differential. The requestor will be given the option of paying the revised estimate to complete the process or receiving the documents or information that has been retrieved up to the suspension of the process. If the actual cost differs from the estimate(s), the requestor will be refunded any excess amount paid or billed for any shortfall.

3. Denial of Request

When ECSU denies a request for a public record or records, a written explanation of the basis for the denial will be provided to the requestor.