

Policy Title: Public Records

Policy Type: Finance/Administration

New/revised: Revised

Old Policy #: FP-12

Approval level: Board of Trustees
 President
 Vice President
 Other (specify here)

Purpose: The purpose of this policy is the establishment of procedures for deposit of funds, recording of receipts, and management of petty cash funds.

Policy:

I. General

- A. In accordance with Tennessee Code Annotated Section 10-7-503, Records Open to Public Inspection, all records made or received in connection with the transaction of official East Tennessee State University business shall at all times, during business hours, be open for personal inspection by any citizen of Tennessee unless otherwise provided by law or regulations made pursuant thereto; and the citizen shall have the right to make copies in accordance with Tennessee Code Annotated Section 10-7-506. Any questions concerning public records should be addressed to the Executive Assistant to the President for University Relations, the Director of Communications, or the Office Coordinator for the Office of University Relations, hereafter referred to as University Relations.
- B. The Vice President for Business and Finance shall be responsible for publishing any necessary procedures including establishing a fee for making copies. University Relations has the responsibility for administering this policy.

II. Purpose

- A. The purpose of this procedure is to establish uniform procedures for handling requests under Tennessee's Open Records Law.

III. Definitions

- A. Public Records are all documents, papers, letters, maps, books, departmental records, photographs, microfilms, electronic data files and output, films, videos, sound recordings, public safety records or other material regardless of physical form or characteristics made or received in connection with the transaction of official East Tennessee State University business.

IV. Inspection of Public Records

- A. Student records are confidential and are not for release to the public, except as provided for in Tennessee Code Annotated Section 10-7-504, Confidential Records.
- B. Except for confidential public records, records will be open for inspection by citizens of Tennessee in the office of record during business hours. University Relations is to be notified when records are requested to be inspected. Inspection and copying will only proceed after such notification. University Relations will assist in answering questions and coordinate release of any additional information to ensure understanding of the

record. Persons requesting to inspect records must show identification of Tennessee citizenship (i.e., driver's license, voter registration, etc.).

- C. Request to inspect records must be for a specific record. East Tennessee State University is not required to create records or compile information. If the record is unavailable for some reason, i.e. being used for official business, etc., then the person requesting the record shall be advised when to return to inspect the record. All efforts will be made to provide the record(s) within a reasonable period of time.
- D. Custody of the record is not to be relinquished. The person requesting to inspect the record must inspect it in the presence of the custodian of the record or an appropriate designee as determined by the Office of University Relations. If it is not convenient for the record to be shown to the person because of present work requirements, then the person requesting to inspect the record shall be advised when and where to return to inspect the record.

V. Inspection of Personnel Records

- A. Permanent personnel records of all employees, including former employees (faculty and staff), are subject to inspection under Tennessee's Open Records Law. Persons requesting to inspect personnel records must complete a [Inspection/Duplication of Records Request](#) and show identification of Tennessee citizenship (i.e., driver's license, voter registration, etc.). When a request is made to inspect a personnel record, the employee concerned; current or former; will be notified by the office processing the request that such a request has been made and by whom.

VI. Copying of Public Records

- A. Upon request, East Tennessee State University will provide at the requestor's expense copies of public records. When a request for copies is received, the custodian should not relinquish the records. The custodian should do the following:
 1. Have the requesting party complete the "[Inspection/Duplication of Records Request](#)"
 2. Determine number of copies to be made and enter description and number of copies to be made on the Form. The price per page is \$.15 for black and white, subject to change at any time by the University. Additional charges may be assessed for color copies.
 3. Advise the requesting party that payment for copies will be made at a cashier's window, Office of the Comptroller, when the copies are made and/or available for pickup. An original "Request Form" and one machine copy should be attached to the record.
 4. If convenient, the custodian or a staff member should make the copies and take them to a cashier's window for the requesting party whereupon the requestor will pay for the copies.
 5. If it is not immediately convenient for the custodian or staff member to make the copies, the person requesting copies shall be advised that the copies will be made and that the person will be notified when the copies are available for pickup at the Office of University Relations and they will be taken to a cashier's window where they will pay for the copies. All efforts will be made to make the copies within a reasonable period of time.
 6. After the copies are made, picked up and paid for, the original "Request Form" should be returned to the University Relations and the original record returned to the appropriate office.

- B. If it cannot be readily determined whether a requested document is covered by the Tennessee Open Records Law, the matter will be referred to ETSU Office of Legal Counsel and University Relations.

VII. Fees

1. Whenever possible, the Office of University Relations will provide the documents electronically to the requestor. If documents must be mailed to a requestor, these will be delivered via USPS First-Class Mail. The requestor will be responsible for any postage costs.
2. In circumstances when documents are requested that must be copied, a .15-cent charge will be assessed per page for black and white copies; however, the Office of University Relations will waive the fee for individual requests that involve fewer than 30 pages. The fee for color pages is .50-cents per page. The fee for color copies will not be waived.
3. If documents are available electronically but copies must be printed in order for redacting, a .15-cent charge per page may be assessed.
4. If a request requires a staff member to spend more than three hours to locate, retrieve, redact and reproduce records, the Office of University Relations may assess a labor charge based on that employee's hourly wage if documents are provided (as copies or electronically).
5. Combined labor charges may be assessed for multiple requests from the same requestor that are submitted within a 30-day period.

VIII. Inspection of Student Records

- C. Requests for student information from the military, vendors, or other off-campus requestors should be made through the Registrar's Office. Requests should identify limits of the information needed. The Registrar's Office will be responsible for determining that the request meets federal requirements and will work with the Office of Information Technology to obtain the information in a timely manner.
- D. A \$50.00 set up/handling fee and a \$.10 per name fee will be charged for any requests for student information, regardless of the format of output (i.e., labels, diskettes, etc.)
- E. If it cannot be readily determined whether a requested document is covered by the Tennessee Open Records Law, the matter will be referred to the Tennessee Board of Regents, Office of Legal Counsel, by the appropriate official in the Office of University Relations.

The following form may be found on the University Comptroller's Office forms web page <http://www.etsu.edu/bf/forms.php>

[Inspection/Duplication of Records Request](#)

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