

8.13 Public Information Requests

Last Revised: July 2023

Policy: Piedmont Community College (PCC) is open and responsive to information requests from the public.

Purpose/Definitions:

Purpose

The purpose of this policy is to prescribe a mechanism for accepting and fulfilling requests for the College's public records.

Definitions

Minimal cost—the actual cost of reproducing the public record or public information.

Public records—all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions (N.C.G.S. 132-1(a)).

Trade secret—business or technical information, including but not limited to a formula, pattern, program, device, compilation of information, method, technique, or process that:

- Derives independent actual or potential commercial value from not being generally known or readily ascertainable through independent development or reverse engineering by persons who can obtain economic value from its disclosure or use; and
- Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy (N.C.G.S. 66-152).

Approval Authority/Monitoring Authority: Piedmont Community College's Board of Trustees has approval authority for this policy. The Vice President, Information Technology/CIO has monitoring authority for this policy.

Procedure:

Section 1: General Provisions

- 1.1. The public records and public information compiled by the College are the property of the people.
 - 1.1.1. Copies of the College's public records and public information may be obtained free or at minimal cost unless otherwise specifically provided by law.
- 1.2. Any public record is subject to public access unless an exception allows otherwise. Exceptions are set forth in Chapter 132 of the North Carolina General Statutes, the provisions of which are incorporated herein by reference. In the event of any conflict between the provisions of this policy and Chapter 132, the latter shall govern.
 - 1.2.1. Statutory exceptions generally are of two types:
 - 1.2.1.1. Confidential records which *must* not be made available for public inspection, including:
 - 1.2.1.1.1. trade secrets
 - 1.2.1.1.2. library user records
 - 1.2.1.1.3. an attorney's written communications regarding actual or potential legal claims produced in the scope of the attorney's duties when representing the College
 - 1.2.1.1.4. medical and counseling records
 - 1.2.1.1.5. personnel records not related to the transaction of college business
 - 1.2.1.1.6. information about PCC applicants
 - 1.2.1.1.7. internal audit work papers
 - 1.2.1.1.8. bids for public contracts before the contract is awarded
 - 1.2.1.2. Non-public records which are not confidential but *may* be withheld from public release, including
 - 1.2.1.2.1. law enforcement records
 - 1.2.1.2.2. student records

- 1.2.1.2.3. research data that has not been published or patented
- 1.2.1.2.4. minutes of public body closed session meetings
- 1.2.1.2.5. records maintained by the College which are unrelated to official business

Section 2: Requesting Public Information

- 2.1. Requests for public information may be made electronically at www.piedmontcc.edu/foia or by submitting a Public Records Request Form (See Exhibit 8.13) via U.S. Mail.
- 2.2. Requests for student information are addressed in PCC Policy 7.6 The Family Educational Rights and Privacy Act of 1974.
- 2.3. Requests for personnel records are addressed in PCC Policy 5.7.1 Employee Personnel File.

Section 3: Response Rate and Fees

- 3.1. Individuals submitting a public records request will receive notification via email within three business days with confirmation their request was received.
 - 3.1.1. If the request is unclear or does not sufficiently identify the requested information, the requester will be contacted for clarification.
 - 3.1.1.1. If clarification is not received, the request may be denied.
 - 3.1.2. The request will be reviewed to ensure that the information requested is available and not restricted from public access.
- 3.2. Every effort will be made to provide records within a reasonable timeframe. Delivery times will vary depending on factors such as:
 - 3.2.1. the size and volume of the request
 - 3.2.2. whether the request requires additional preparation or review
- 3.3. The requestor will be charged for the actual cost of the paper or other medium, if any, on which copies are provided.
 - 3.3.1. Actual cost shall be determined as provided in N.C.G.S. 132-6.2.

Section 4: Retention of Public Records

4.1. Requirements regarding the retention of public records are established by the State Division of Archives and History, Government Records Branch.

4.1.1. These requirements vary based upon the content of the record, not the form of the record. See the Colleges in the [North Carolina Community College System Records Retention and Disposition Schedule](#) for more information.

Legal Citation: [N.C.G.S. 66-156](#) (Preservation of Secrecy); [N.C.G.S. 125-19](#) (Confidentiality of Library User Records); [N.C.G.S. 132](#) (Public Records); [N.C.G.S. 132-6.2](#) (Provisions of copies of public records; fees); [N.C.G.S. 143-748](#) (Confidentiality of internal audit work papers)

History: Effective May 2022; revised July 2023

Cross-references PCC Policies 5.7.1 Employee Personnel File and 7.6 The Family Educational Rights and Privacy Act of 1974

Exhibit 8.13



Public Information Request Form

To request public records from Piedmont Community College, complete this form and return it via U.S. Mail addressed to:

ATTN: Vice President Information Technology & CIO
Piedmont Community College
P.O. Box 1197
Roxboro, NC 27573

Name (first and last): _____

Title: _____

Organization: _____

Address: _____

Street Address _____

Address Line 2 _____

City _____

State _____

Zip Code _____

Country _____

Email: _____

Phone: _____

Request Description: _____
