



Name of Policy	Public Records Request
Description of Policy	This document outlines the university’s policy regarding the procedures for seeking access to public records, to protect the privacy of certain records, to ensure compliance with the Mississippi Public Records Act, and to ensure compliance with applicable privacy and other laws.
Policy applies to	<input checked="" type="checkbox"/> University-wide <input type="checkbox"/> Specific (<i>outline location, campus, organizational unit, etc.</i>)
	<input type="checkbox"/> Faculty/Staff only <input type="checkbox"/> Students only <input checked="" type="checkbox"/> Faculty/Staff and Students <input checked="" type="checkbox"/> Public Body
Policy status	<input type="checkbox"/> New policy <input checked="" type="checkbox"/> Revision of existing policy

Approval authority	President
Governing authority	Chief Compliance Officer
Responsible officer	Chief Compliance Officer

Approval date	November 2, 2020
Effective date	November 2, 2020
Approval date of last revision	October 20, 2021
Effective date of last revision	October 20, 2021
Date of policy review*	October 18, 2021

**unless otherwise indicated, this policy will still apply beyond the review date*

Related legislation, policies, procedures, guidelines and local protocols	IHL Board of Trustees Polices and Bylaws 301.0804 Mississippi Public Records Act MCA § 25-61-1 et seq.
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1. Background

The Public Records Act ensures public access to public records in the possession of governmental entities in Mississippi." It is the policy of the Legislature that public records must be available for inspection by any person unless otherwise provided by this act. Furthermore, providing access to public records is a duty of each public body and automation of public records must not erode the right of access to those records." Miss. Code Ann. § 25-61-1. The Mississippi Ethics Commission has developed model rules to provide the best practices for complying with the Mississippi Public Records Act and to promote the spirit of cooperation between public bodies and requestors by standardizing best practices throughout the state.

2. Purpose

Mississippi law requires that public entities, which includes Alcorn State University, provide access to or copies of the public records of Alcorn in response to a written request. [§§25-61-1, et seq., Mississippi Code of 1972] The mandate for open disclosure of the public records has certain exceptions from disclosure, but those exceptions are extremely limited. The law requires that a public entity that receives a public records request must comply with a written request within one day (1) of the receipt unless the governing body for that public entity has adopted a written policy extending the time for compliance for up to, but not to exceed, seven (7) working days.

3. Scope/Application

This policy applies to all individuals and/or companies requesting public records.

4. Policy Statement and Principles

Alcorn State University follows the policy of the Board of Trustees of the State Institutions of Higher Learning which directs the method and time within which responses to written public records requests are to be made. [IHL Policy 301.0804]

5. Procedure

To ensure compliance with the law and the above referenced IHL Board policy, Alcorn State University hereby adopts the following procedures for the processing of all public records requests:

- a. All public records requests must be dated, signed by requester, and personally delivered, e-mailed via publicrecords@alcorn.edu. The request must include the name of the requester, the address of the requester, and the current contact information for the requester.
- b. Upon receipt of a written public records request, the Alcorn official who received the request will immediately (within one business day) forward a copy of the request to the appropriate party and will process the request. If further review is necessary, then a copy of the request will be forwarded to IHL Board's Legal Office or the Attorney General's Office.
- c. Upon receipt, IHL Board's Legal Office or the Attorney General's Office will review the request for compliance with the law.

- d. If the request constitutes an appropriate request requiring a response, in the opinion of IHL Board's Legal Office or the Attorney General's Office, the offices listed above will communicate with the university to determine whether Alcorn does have any records identified in the request within its possession and/or control.
- e. If the request identifies records which are within Alcorn possession or control as verified by the university, then IHL Board's Legal Office or the Attorney General's Office will advise the university of the standard exemptions that apply to public records release.
- f. The university will then determine, upon advice of IHL Board's Legal Office or the Attorney General's Office, whether the records are subject to exemption from disclosure.
- g. If no exemption applies to the records, or any part thereof, then:
 - i. Cost of providing access to and/or copies of the records being requested will be assessed according to IHL Board policy for determining costs.
 - ii. The university will notify the requester of the availability of the records and the costs associated with providing the records.
 - iii. Upon receipt of the payment (cash, check, or money order) of the estimated costs in advance, the university will provide copies of the records.
- h. If an exemption does apply to the records, or any part thereof, then IHL Board's Legal Office or the Attorney General's Office will issue a full or partial denial of the request to the requester. In the event of a partial denial, the process described in paragraph seven (7) above shall be followed for those records not subject to denial.

Questions regarding this policy or the implementation thereof should be directed through email at publicrecords@alcorn.edu.

6. Cost of Providing Public Records

a. Costs for Paper Copies

A requestor may obtain standard black and white paper copies for \$.15 cents per page.

b. Costs for Electronic Records

The cost of scanning existing Alcorn State University paper or other non-electronic records is \$.05 cents per page.

c. Charges for Searching, Reviewing, and Redacting

The actual cost of searching, reviewing and, if necessary, redacting exempt information for public records shall be based upon invoiced charges for any staff time or contractual services will be at the pay scale for the lowest level University employee to respond to the request. A cost estimate includes, but is not limited to, the University's incurred costs, plus staff time, for summarizing, compiling, or tailoring a record (either in organization or media) to meet the requestor's request; locating the requested records, reviewing the records in order to separate exempt from non-exempt material; supervising a person's inspection of original documents in order to protect the records; copying records; certifying document as true copies; or sending records by special method such as express mail; and attorney time to review and segregate records. Such fees shall be collected by Alcorn State University in advance of complying with the request. Payments should be made:

Payable to: Alcorn State University
Mailing Address: Office of University Compliance
1000 ASU Drive #1140
Lorman, MS 39096

7. Review

This policy will be reviewed and updated as needed to comply with applicable laws and regulations.

8. Further Assistance

<https://www.alcorn.edu/newsevents/marketing-and-communication/public-records-request-procedures>

9. Glossary of Terms/Definitions*

Public body: Any department, bureau, division, council, commission, committee, subcommittee, board, agency and any other entity of the state or a political subdivision thereof, and any municipal corporation and any other entity created by the Constitution or by law, executive order, ordinance or resolution. The term "public body" includes the governing board of a charter school authorized by the Mississippi Charter School Authorizer Board. Within the meaning of this chapter, the term "entity" shall not be construed to include individuals employed by a public body or any appointed or elected public official.

Public records: All books, records, papers, accounts, letters, maps, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work, duty or function of any public body, or required to be maintained by any public body.

REVIEWED BY:

/s/ <u>Alfred L. Galtney, J.D.</u>	<u>11/02/2020</u>
Originator	Date

/s/ <u>Alfred L. Galtney, J.D.</u>	<u>11/02/2020</u>
Chief Compliance Officer	Date

APPROVED:

/S/ <u>Felecia M. Nave, Ph.D.</u>	<u>11/02/2020</u>
President	Date