Purpose of Today’s Presentation

- Public Records - Reminder
- [Public Records Request Portal](#) – Launch!
- NCCU Policies, Regulations and Rules Website - Reminder
- Office of Legal Affairs Website – Launch!
What is the NC Public Records Law?
(NC General Statute §132-1, et. seq)

- State Law
- The public records and public information compiled by the agencies of North Carolina government or its subdivisions are the property of the people.
- General Rule: Public records and public information can be obtained at minimal or no cost unless otherwise specifically provided by law.

Key term
Public record- refers to all documents, papers, letters, maps, books, photographs, films, sound recordings, tapes, or electronic data made or received in connection with the transaction of public business by any agency of North Carolina.

Why should I be familiar with the NC Public Records Law?

- Though there are exceptions to the Public Records Law, the large majority of records that are created by state employees are subject to disclosure
- Records must be maintained in accordance with the University General Records and Retention Schedule and made available to the public upon request
Can emails and text messages be public records?

**YES!**

- The **content** of the email/text message, *not its location*, determines whether or not the email/text message is a public record.
- Key inquiry – Was the email made or received in connection with the transaction of public business?
  - Yes – public record, regardless of whether it was created or stored on a public or private computer, mobile device, or email system.
  - Ex. An email or text message sent from your Gmail account or non-work/personal iPhone can constitute a public record and must be disclosed if requested.
- The University Record and Retention Schedule does not include a separate category for emails; again, the content of the email determines how long the record should be maintained. (Ex. An employee performance evaluation maintained via email only must be retained for 3 years in accordance with the General Records and Retention Schedule.)

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**Key Points**

- Carefully consider whether you should send an email or text message, or whether the information should be conveyed via a telephone discussion.
- The **custodian** of a public record has an obligation to retain the record in accordance with the University Record and Retention Schedule and to produce the record upon request *(after the proposed disclosure is reviewed by the Office of Legal Affairs)*
- If the same document exists in both hardcopy and electronic form, the records custodian need only retain one document format, not both (i.e., keep the hardcopy of the email rather than both the hardcopy and the electronic copy of the email).
- Records that contain **confidential information** – such as student records or most personnel records – are not public records and are generally prohibited from being disclosed.
- Review the Public Records Request Regulation, and the Public Records FAQ on the OLA website for more information and contact the Office of Legal Affairs with any questions.
NCCU Policies, Regulations and Rules Website

Policies, Regulations and Rules of North Carolina Central University

The NCCU Policies, Regulations and Rules of North Carolina Central University is a central repository for all university policies, regulations and rules. The policies are organized by council or department. A council is a sub-council in the hierarchy of the university. The policies include those described in this manual. They may also include those described in the external manuals to which the reader is referred. If you have additional questions about the policies and rules contained within these manuals, please contact the Office of Legal Affairs at (919) 537-8105.
### Contracting Resources

Contracting Resources and Process for Contract Review

- [Download Form Contract](#)  |  [Instructions for Completing the Standard Form Contract](#)  
- [NC State University Contracts and Procurement](#)  |  [Instructions for Completing the Standard Form Contract](#)  
- [NC State University Contract Drafting and Review](#)  |  [Instructions for Completing the Standard Form Contract](#)  
- [NC State University Contract Administration](#)  |  [Instructions for Completing the Standard Form Contract](#)  
- [NC State University Contract Modifications](#)  |  [Instructions for Completing the Standard Form Contract](#)  
- [NC State University Contract Termination](#)  |  [Instructions for Completing the Standard Form Contract](#)  
- [NC State University Contract Negotiation and Administration](#)  |  [Instructions for Completing the Standard Form Contract](#)  

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### NC Public Records Law

**NC General Statutes**


**NCCU Public Records Request Regulation**

[http://www.nccu.edu/policies/retrieve.cfm?id=385](http://www.nccu.edu/policies/retrieve.cfm?id=385)

**NCCU University Record Retention and Disposition Schedule Regulation**

[http://www.nccu.edu/policies/retrieve.cfm?id=383](http://www.nccu.edu/policies/retrieve.cfm?id=383)

**NCCU Public Records FAQs**

[http://www.nccu.edu/legalaffairs/public-records.cfm](http://www.nccu.edu/legalaffairs/public-records.cfm)

**NCCU Public Records Request Portal**

[https://nccu.nextrequest.com/](https://nccu.nextrequest.com/)

**Policies, Regulations and Rules Website**

[http://www.nccu.edu/policies/index.cfm](http://www.nccu.edu/policies/index.cfm)

**Office of Legal Affairs Website**

[http://www.nccu.edu/legalaffairs/index.cfm](http://www.nccu.edu/legalaffairs/index.cfm)
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