



**POLICY 06:27:00
INSPECTION AND COPYING OF
PUBLIC RECORDS**

Refer to Tennessee Board of Regents Policies 4:07:10:00, Charging for Producing Copies of Public Records and 5:01:00:10, Personnel Records

In accordance with Tennessee Code Annotated Chapter 7 Public Records, Section 10-7-503, Records Open to Public Inspection, records made or received in connection with the transaction of official Pellissippi State Community College business will at all times, during business, be open for personal inspection by any citizen of Tennessee unless otherwise prohibited by law or regulations made pursuant thereto; and the citizen will have the right to make copies in accordance with Tennessee Code Annotated Section 10-7-506 Public Records Having Commercial Value, and this policy. Any questions concerning public records other than personnel files should be addressed to the president of the College. Questions concerning personnel file inspection and copying should be addressed to the director of Human Resources. See Section IV regarding personnel records.

I. Purpose

The purpose of this policy is to establish uniform processes for handling requests under Tennessee Code.

II. Definition

Public records are all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received in connection with the transaction of official Pellissippi State Community College business pursuant to Tennessee Code Annotated 10-7-403, Public Records Defined. See Section IV regarding personnel records.

III. Inspection of Public Records

Except for confidential records, public records will be open for inspection by citizens of Tennessee in the office of record during regular business hours. Questions regarding personnel records should be directed to the director of Human Resources. Persons requesting to inspect business records must present a photo identification showing proof of Tennessee citizenship (i.e., driver's license, government-issued ID card, etc.).

Request to inspect records must be for a specific record. Pellissippi State Community College is not required to create records or compile information. If the record is unavailable for some reason, i.e., filed in the archives, being used for official business, etc., then the person requesting the record will be advised when to return to inspect the record.

Custody of the record is not to be relinquished. The person requesting to inspect the record must do so in the presence of the custodian of the record or an appropriate designee. 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 records will be advised when to return to inspect the records. All efforts will be made to make the record(s) available within seven business days.

IV. Inspection of Personnel Records

Permanent personnel records of all employees, including former employees, are subject to inspection under Tennessee Code Annotated 10-7-503, unless otherwise prohibited by law or regulation. Persons requesting to inspect personnel records must present a photo identification showing proof of Tennessee citizenship (i.e., driver's license, government-issued card, etc.). When a request is made to inspect a personnel record, the concerned employee will be notified that such request was made, who made the request, and when the file was reviewed. Questions regarding personnel records should be addressed to

the director of Human Resources. Tennessee Code Annotated 10-7-504 Confidential Records describes the following information as confidential:

1. telephone numbers
2. residential information
3. bank account information
4. social security number
5. driver's license information (except where driving or operating a vehicle is part of the employee's job description or job duties or incidental to the performance of his/her job)
6. the above information on immediate family or household members

V. Copying of Public Records

Upon written request, Pellissippi State Community College will provide, at the requestor's expense, copies of public records. The charge will be 15 cents per page plus labor and delivery costs, if applicable. After the first hour of labor, the requesting party will be charged at the hourly wage of the employee(s) producing the copies. If copies are not hand-delivered, the cost to deliver the copies by other means will be added.

When a request for copies is received, the custodian will not relinquish the records. The custodian must do the following:

- A. Have the requesting party complete the Inspection/Duplication of Records Request indicating the copies requested.
- B. Determine the number of copies to be made and enter the description and number of copies to be made on the Public Records Inspect/Copy Request form.
- C. Advise the requesting party that payment for copies must be made at the Cashier's office when the copies are ready and available for pickup.
- D. If it is not immediately convenient for the custodian or staff member to make the copies, the person requesting copies will be advised that the copies will be made and that he/she will be notified when the copies are available. All efforts will be made to make the copies within seven business days.
- E. If the public record copied is part of a personnel file, the request form will be filed in the personnel file and a copy forwarded to the concerned employee.

If it cannot be readily determined whether or not a requested document is covered by Tennessee Code Annotated 10-7-503, the custodian will refer the matter to the president of the College.

Source: Tennessee Board of Regents, Policy No. 5:01:00:10
Approved: Executive Council, March 4, 1991
Editorial Changes, April 23, 1993, July 26, 1994
Approved: President Allen G. Edwards, September 9, 1997
Approved: President Allen G. Edwards, October 20, 1999
Approved: President Allen G. Edwards, January 31, 2005
Reviewed/Recommended: President's Staff, January 8, 2007
Approved: President Allen G. Edwards, January 8, 2007
Reviewed/Recommended: President's Staff, August 18, 2008
Approved: President Allen G. Edwards, August 18, 2008
Editorial Changes, May 15, 2009, July 1, 2009
Reviewed/Recommended: President's Council, November 28, 2011
Approved: President L. Anthony Wise, Jr., November 28, 2011
Reviewed/Recommended by President's Council, September 28, 2015
Approved by President L. Anthony Wise, Jr., September 28, 2015

Inspection/Duplication of Records Request

Requestor Instructions: To make a request for copies of public records, fill in sections 1-5, and sign and date section 9 at the time the request is made. Requestors who are retrieving the requested records from the office of the records custodian in person should not sign and date section 11 until the records are received. Requestors who are having the records emailed or mailed to him/her are not required to sign and date section 11 of the form.

Custodian Instructions: For requests to inspect, the **records custodian** is to fill in sections 1-6, 8, and sign and date section 10 at the time the request is made. Section 12 should not be signed and dated until the requestor inspects the records. For requests for copies or duplicates, the records custodian is to fill in sections 6-8 and sign and date section 10 at the time the request is made. Section 12 should not be signed and dated until the records are retrieved by or delivered to the requestor.

Note: Tenn. Code Ann. § 10-7-503(a)(7)(A) provides that unless another provision in law specifically requires a written request, a request to inspect public records may not be required to be in writing nor can a fee be assessed for inspection of records.

1. Name of Requestor: _____
(Please print)
Address: _____

2. Photo identification of TN citizenship: _____
(i.e., driver's license, government issued ID card, etc.)

3. Company or business represented, if applicable: _____

4. Request for: inspection copy duplicate [previously inspected on _____ (date) or
inspection waived]

5. Record(s) requested: _____

6. Detailed description of the record(s), including relevant date(s) and subject matter: _____

Date and time request received: _____ Response date: _____

7. Costs (if assessed):
a. Estimated number of pages to be copied: _____ b. Cost: \$ _____ c. Estimate of labor costs: \$ _____
(For time exceeding one hour)
1) Labor at \$ _____ /hour for _____ hour(s) 2) Labor at \$ _____ /hour for _____ hour(s)
d. Programming cost to extract information requested: \$ _____ e. Method of delivery and cost: \$ _____
f. Estimate provided to requestor for total cost to produce request: \$ _____

8. Payment:
a. Form of payment: Cash (must be exact) Check Other _____
b. Amount of payment: \$ _____ c. Date of payment: _____ d. Actual cost (and adjustment if prepaid): \$ _____

9. _____
Signature of requestor Date requested

10. _____
Signature of records custodian Date of receipt of request

Delivery/Retrieval of Records:

11. _____
Signature of requestor Date records retrieved

12. _____ OR
Signature of custodian Date records
retrieved/delivered

_____ Date
records inspected by requestor