

Revision Responsibility: Vice President for Financial and Administrative Services
Responsible Executive Officer: President

Source/Reference: T.C.A. Title 10, Chapter 7
[TBR Policy 4:07:10:00](#)
<http://www.comptroller1.state.tn.us/openrecords>

PURPOSE

To define guidelines for responding to requests for public records.

POLICY

I. Definitions

Records custodian: the office, official or employee lawfully responsible for the direct custody and care of a public record and is not necessarily the original preparer or producer of the record. The College has more than one records custodian.

Public Records: defined in Tennessee Code Annotated Section 10-7-503(a)(1): As used in this part and Title 8, Chapter 4, Part 6, “public record or records” or “state record or records” means 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 pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.

Redacted record: a public record otherwise open for public inspection from which protected information has been removed or made obscured prior to release or inspection.

Requestor: a Tennessee citizen requesting access to, or a copy of a public record.

II. Public Records Requests

A. Public Records Request Coordinator

The director of marketing and public relations is designated as the public records request coordinator.

B. Making a Public Records Request

Requests made pursuant to the Tennessee Public Records Act (TPRA) shall be made to the office of marketing and public relations using the “[INSPECTION/DUPLICATION OF RECORDS REQUEST](#)” form (Appendix A).

The public records request coordinator will ensure that requests are routed to the appropriate records custodian and that requests are fulfilled in a timely manner.

C. Responding to a Public Records Request

1. The records custodian will make requested records available as promptly as possible in accordance with Tennessee Code Annotated Section 10-7-503.
2. The records custodian will strive to respond to all records requests in the most time and cost efficient methods possible.
3. To the extent possible, when records are maintained electronically, records custodians should produce large volume records electronically. Records should be produced electronically whenever feasible as a means of utilizing the most “cost efficient method of producing” records.
4. A records custodian may direct a requestor to the College website for any requested records that are posted; however, a requestor may still exercise the right to inspect the public record during regular business hours in the office of the records custodian and/or receive a copy or duplicate made by the records custodian.
5. Whenever possible, and especially in situations where redaction is necessary, once a records request has been completed and there is a reasonable expectation that the same records will be requested in the future, a records custodian should maintain a copy of the redacted records so that any future request can be easily located and copied.
6. When a records custodian receives a records request for a large volume of records and reasonably determines that production of the records should be segmented, the requestor should be notified that the production of the records will be in segments and that a production schedule will be provided as expeditiously as possible.
7. If a records custodian has provided what is thought to be all records responsive to a public records request and then discovers that records were omissive, the requestor should be made aware of the omission and the records produced as quickly as possible.
8. Whenever a record is redacted, a records custodian should provide the requestor with the basis for the redaction when the redacted records are provided to the requestor.
9. Records custodians will make supervised space available during business hours where requestors can inspect public records.

10. To the extent a records custodian does not have the ability to make copies of duplicates of a requested record, a records custodian should notify the requestor of such and identify the vendor that will be used to produce the requested records, as well as the estimated cost. The inability of a records custodian does not eliminate the obligation to provide a duplicate copy if requested.
 11. When a records custodian is unclear as to records being requested, it is suggested that the custodian contact the requestor in an effort to clarify and/or narrow the request. If, after attempting to clarify the request, the records custodian is still unable to determine what is being requested, the request should be denied based upon the requestor's failure to sufficiently identify the requested records in accordance with the requirements of the TPRA.
 12. Records custodians who have questions about how to respond to a records request should contact the Tennessee Board of Regents Office of the General Counsel.
- D. Charges for Producing Copies of Public Records
1. The College will charge for producing requested copies of public records in accordance with the ["SCHEDULE OF REASONABLE CHARGES FOR COPIES OF PUBLIC RECORDS"](#) (Appendix B) as established by the Office of Records Counsel as they may be from time to time amended.
 2. The College may aggregate frequent and multiple requests for purposes of calculating labor charges. See [POLICY RELATED TO REASONABLE CHARGES A RECORDS CUSTODIAN MAY CHARGE FOR FREQUENT AND MULTIPLE REQUESTS FOR PUBLIC RECORDS](#) (Appendix C).
 3. Whenever possible, a records custodian should require and receive either full or partial payment of the estimated charges prior to production of copies of the requested records.
 4. If a records custodian is going to segment the production of requested records, the requirement for payment prior to production of the records should also be segmented.
 5. A records custodian must provide requestors with an estimate of charges to be assessed for copies and labor. Whenever possible, a records custodian should provide the estimate prior to producing the requested copies of records and should itemize the estimate.

PROCEDURES

- I. Requests to inspect or for copies of public records should be made to the office of marketing and public relations.
 - A. Requests for Copies of Public Records
 1. To make a request for copies of public records, a requestor should fill in sections 1-5 of the "[INSPECTION/DUPLICATION OF RECORDS REQUEST](#)" form (Appendix A), and sign and date section 9 at the time the request is made.
 2. The requestor should submit the signed request to the director of marketing and public relations or designee.
 3. The director receiving the request form in the office of marketing and public relations or designee should determine the appropriate department to respond to the request and enter the name of the department in item 6 of the form.
 4. The office of marketing and public relations should either copy or scan the form for tracking and monitoring purposes before forwarding it to the records custodian.
 5. The records custodian should complete the remainder of items 6 and 7, and sign and date section 10. If costs are to be assessed, the requestor should be referred to business services to pay prior to records being copied.
 6. Upon payment, business services should complete item 8 and return the form to the requestor to be presented to the records custodian.
 7. The records custodian should respond to the request as promptly as is reasonably possible.
 8. In the event it is not reasonably practicable for the record to be promptly available for inspection, the custodian shall within seven business days:
 - a. Make such information available to the requestor;
 - b. Deny the request in writing by completing a [RECORDS REQUEST DENIAL LETTER](#) (Appendix D). A copy of the records request denial letter should be sent to the office of marketing and public relations. The response shall include the basis for the denial; or
 - c. Furnish the requestor a completed records request response form stating the time reasonably necessary to produce such record or information.

9. The completed "[INSPECTION/DUPLICATION OF RECORDS REQUEST](#)" form (Appendix A) should be returned to the office of marketing and public relations.

B. Requests to Inspect Public Records

1. For a request to inspect public records, the employee receiving the request form in the office of marketing and public relations should fill in sections 1-5 of the "[INSPECTION/DUPLICATION OF RECORDS REQUEST](#)" form (Appendix A), determine the appropriate department to respond to the request and enter the name of the department in item 6 of the form.
2. The office of marketing and public relations should either copy or scan the form for tracking and monitoring purposes before forwarding it to the records custodian.
3. The records custodian should complete the remainder of item 6, and sign and date section 10.
4. The records custodian should respond to the request as promptly as is reasonably possible.
5. In the event it is not reasonably practicable for the record to be promptly available for inspection, the custodian shall within seven business days:
 - a. Make such information available to the requestor;
 - b. Deny the request in writing by completing a "[RECORDS REQUEST DENIAL LETTER](#)" (Appendix D). A copy of the records request denial letter should be sent to the office of marketing and public relations. The response shall include the basis for the denial; or
 - c. Furnish the requestor a completed records request response form stating the time reasonably necessary to produce such record or information.
6. The completed "Inspection/Duplication of Records Request" form should be returned to the office of marketing and public relations.