

PUBLIC RECORDS - BP 8.6

Legal Authority: NCGS 115D-78; NCGS 115C-3

Approval: April 19, 2011

Revision:

Public Records

The Board and the College, as a public entity supported with tax dollars, have a responsibility to be open and responsive to document requests from the public and the news media. Documents that are not a public record must not be released to the public until after approval by the President and consultation with the College's legal counsel.

In general, most of the College's day-to-day programs and activities generate public information. How the college is structured, how it operates, statistics about the student body, faculty or physical facilities are all public information. Most reports, policies, budget information, and college committee minutes are public information. In addition, certain personnel information listed below is public information.

Some information shall not be public. Such information includes, but is not limited to:

1. College employees' personnel records: Most of an individual's personnel record is confidential under the State Personnel Privacy Act, but the act generally requires the release of the following information about any employee: name, age, date of original employment or appointment to state service, current salary, date and amount of most current increase or decrease in salary, date of most recent promotion, demotion, transfer, suspension, separation or other change in position classification, and office or station to which the employee is currently assigned.

College students' academic, medical and counseling records: State law requires that medical and counseling records be kept confidential, and the federal disabilities law requires confidentiality for medical information provided in connection with the Americans with Disabilities Act ("FERPA"). In addition, the Federal Family Educational Rights and Privacy Act restricts information that can be released about a student, but allows the release of what basic directory information unless the student files a request that it not be released. Before releasing this information about any student, the faculty or staff member receiving the request must confirm that the information is disclosable and that the student has not requested that it be withheld. Students may voluntarily release any part of their academic record, but such release must be made in writing signed by the student. FERPA also allows information about drug and alcohol violations of students under the age of 21 to be released to their parents or legal guardians. If a student is found guilty in a campus disciplinary

proceeding of an act of violence or sex offense, FERPA allows release of the student's name, the violation committed, and the College sanction imposed.

[Return to Table of Content](#)