



POLICY TITLE
Public Records Request

POLICY NUMBER
3-002

Responsible Unit: <i>Office of Communications</i>	Effective Date: <i>08/24/2018</i>
Responsible Official: <i>Vice President for External Affairs</i>	Last Reviewed Date:
Policy Classification: <i>External Affairs and Public Relations Policies</i>	Origination Date: <i>07/24/2018</i>

I. POLICY STATEMENT AND RATIONALE

The Southern University Board of Supervisors (SUBOS) established this policy to provide a systematic method for responding to requests for Public Records in accordance with *LA R.S. 44:1, et seq.*

II. POLICY SCOPE AND AUDIENCE

The purpose of this policy is to familiarize SUBOS employees with the procedures and guidelines by which public records requests are received, vetted, and responded to. This policy further serves to explain the responsibilities of SUBOS employees in relation to this process.

This policy will apply to all public records request.

III. POLICY COMPLIANCE

Failure to adhere to the policy may result in actions under the appropriate Handbook for faculty, staff and students.

IV. POLICY DEFINITIONS

- a. Public Records - Subject to statutory exceptions, "Public Records" under the Louisiana Public Records Act include all books, records, writings, accounts, letters, memoranda, and papers, and all copies, duplicates, or other reproductions thereof, or any other documentary materials, regardless of physical form, including information contained in electronic data processing

equipment used, prepared, possessed or retained for use in the conduct or performance of any business by or under the authority of any public body of this state. (LA R.S. 44:1(2)(a)).

- b. Public Records Request – Any request for Public Records received by a University employee, department, college, or administrative unit.

V. **POLICY IMPLEMENTATION PROCEDURES**

The Office of External Affairs in conjunction with the Office of the President will be charged with implementing this policy. The following procedures are established to facilitate the production and response to public records request.

A. Custodian of Records:

- a. The President-Chancellor will designate one employee to be the Custodian of Records.
- b. This employee will serve as the point of contact for all public records matters.
- c. Each Campus within the System will designate at least one Public Records Liaison. These employees, assigned by their respective Chancellor, with guidance from the Custodian of Records and SU General Counsel, are trained to identify which records are public and which are exempt or privileged, in accordance with the Constitution and Public Records Laws.
- d. The Custodian of Records is the only employee authorized to communicate with public records requestors about public records requests, unless permission is otherwise granted by the President-Chancellor or his designee.
- e. The Custodian of Records or his/her designee will keep a Public Records Request File on each request received. Any communications to the requestor shall be memorialized in writing, by email or regular mail. An electronic copy of the written document will be stored in an electronic Public Records Request File. Additionally, the Custodian of Records or his/her designee will maintain a master log of all public records requests (Public Records Log) to track request receipt, three-day response, and the progress of active requests.

B. Employee Responsibility:

- a. It is the responsibility of every employee to forward any public records requests that they receive to the Custodian of Records or Public Records Liaison as soon as possible. Unless it is received after 5:00 PM on weekdays or during the weekend, the request should be delivered the same day it is received. Timely handling of requests is critical to the ability to comply with legal deadlines in the law.
- b. Employees who receive public records requests by email will forward those requests to the Custodian of Records using the email address, sublicrecords@sus.edu.
- c. Employees who receive public records requests by telephone will instruct the caller to put the request in writing and forward the call to the Custodian of Records at (225) 771-3322.

- d. Employees who receive a hard copy of a request will hand deliver the document to the Custodian of Records. Such requests should be marked, "Date Received: xx/xx/xx, by (insert name)."
- e. Employees who receive an oral request in-person will ask the requestor to write the request, either on paper, which we can supply, or in an email, and to send the written request to the Custodian of Records.

C. Procedure for Responding to Public Records Request

- a. Upon receipt of a public records request, the Custodian of Records or Public Records Liaison will immediately send notice to the requestor that the request was received and identify the date it was received. The requester will be sent the information within three days from the date the request was received or notified of the existence, location and copying to proceed. The Custodian of Records will include a copy of the notice in the Public Records Log. The Custodian of Records will communicate with the appropriate Public Records Liaison(s) to discuss the response and coordinate the collection of records.
- b. If no responsive documents are located or SU is not the proper custodian, the Custodian of Records will prepare and deliver a statement to that effect to the requestor. The Custodian of Records will record in the Public Records Request File the response, the date it was sent to the requestor, and the method it was communicated.
- c. If further processing is needed, the Custodian of Records will instruct the appropriate Public Records Liaison(s) to collect all documents that may be responsive to the request.
- d. Each Public Records Liaison who identifies any responsive records within their area will fill out a standard Public Records Search Response Form (Attachment A) identifying:
 - i. How the search was conducted;
 - ii. Whether records were located;
 - iii. The manner in which the records are stored; and,
 - iv. An estimate of the number or volume of potentially responsive documents and the time required to review the documents for privilege.
- e. The Public Records Liaison(s) will collect all potentially responsive documents and will evaluate, in consultation with the General Counsel, whether any responsive documents or portions of responsive documents are exempt or privileged, making note of any such instances.
- f. The Public Records Liaison(s) may request a search of electronic documents by contacting the designated Information Technology (IT) liaison.
- g. If an electronic search is conducted, the Public Records Liaison must identify on the Public Records Search Response Form which search terms were used, IT liaison who conducted the search, and the results of the search. The Public Records Liaison should coordinate review of the results with the Custodian of Records and IT liaison.

- h. The Public Records Liaison(s) will provide responsive documents to the Custodian of Records within three (3) days unless an extension is requested, at which time they will have up to fourteen (14) days. If the volume of potentially responsive documents is particularly burdensome, the Public Records Liaison(s) may request more time from the Custodian of Records. If these deadlines cannot be met, the Public Records Liaison(s) will document the reasons in writing in an email to the Custodian of Records.
- i. After receipt and review of potentially responsive documents, the Custodian of Records will schedule a review session with the appropriate Public Records Liaison(s), in consultation with SU legal, to discuss which documents the Custodian of Records has determined to be responsive and which documents the Custodian of Records has determined should be withheld. The Custodian of Records will note in the Public Records Request File which documents will be produced and which documents will be withheld. The Public Records Liaison(s) shall be responsible for preparing a privilege log for documents identified as privileged or exempt in coordination with the Custodian of Records and IT liaison.
- j. When no payment for record production is necessary, the Custodian of Records will send a response to the requestor. The Custodian of Records will include a copy of the response in the Public Records Request File.
- k. When payment for record production is necessary, the Custodian of Records will contact the requestor to indicate the number of responsive records and the total price for record production. Payment must be made in the form of check, money order, or cashier's check, addressed to SU with a notation containing the Public Records Request File Number.
- l. Upon receipt of payment from the requestor, the Custodian of Records will send a response, complete with the responsive records, to the requestor. The Custodian of Records will include a copy of the response in the Public Records Request File.
- m. Any communications to the requestor shall be memorialized in writing, by email or regular mail. A copy of the written document will be made for the Public Records Request File.
- n. Point of Contact: Custodian of Records, (225) 771-3322.
- o. Exceptions to this policy must be approved in advance and may be granted by the President-Chancellor or his designee through specific written authority.
- p. Confidentiality, to the extent possible, will be observed.
- q. This policy supersedes any and all prior policies regarding Public Records.

VI. POLICY RELATED INFORMATION

The information regarding Public Records Request and the Custodian of Records will be posted to the SU System website and all campuses respective websites under News and Media.

PUBLIC RECORDS REQUEST
SEARCH RESPONSE

File Number: _____

Campus: _____

Public Records Liaison: _____

Identified Custodian(s) of Response:

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Custodians of response include attorneys, investigators, IT, and any staff who might possess, use, or prepare records which are responsive to the request.

Document Type: Keep in mind the possibility of both physical and electronic documents. Commonly requested records include;

1. Case Files
2. Memorandum's
3. Reports
4. Contracts, MOU's CEA's
5. Drafts
6. Emails
7. Expense Reports / Invoices / Requisitions

	Date	Initial
Received by Public Records Liaison		
Confirmation by staff with custody of responsive records of the time reasonably necessary for collection, segregation, redaction, examination, or review of the request (<i>La. R.S. 44:35(B)</i>). Sent to Custodian of Records This information must be relayed to the requester within 5 days of receipt of the request by the request coordinator.		
15-day update to the Custodian of Records – concerning progress of collection, segregation, redaction, etc.,		
30-day update to the Custodian of Records (For lengthy requests, update every 15 days until request is fulfilled. If rolling production is appropriate, record each date of production.)		
Records Reviewed and Redacted / Privileges Asserted / Records Received by Public Records Liaison		
Responsive Records Approved For Release by Public Records Liaison		
Responsive Records Sent to Custodian of Records		

Records Exempted by _____ No Records _____
Pages to charge for _____

VII. POLICY IMPLEMENTATION PROCEDURES

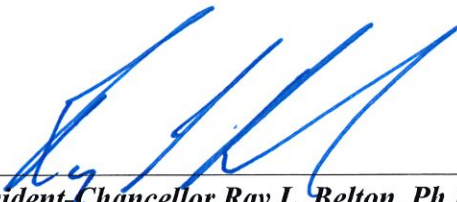
The Office of the President-Chancellor in conjunction with the Office of External Affairs will be charged with implementing this policy.

VIII. POLICY HISTORY AND REVIEW CYCLE

This is a newly created policy. This policy is subject to a five-year policy review cycle.

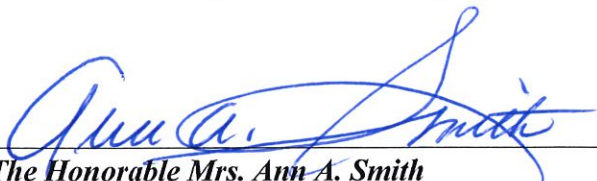
IX. POLICY APPROVAL

The effective date of this policy is determined by the approval date of the President-Chancellor of the Southern University and A&M College System and the Board of Supervisors of the Southern University and A&M College System.



President-Chancellor Ray L. Belton, Ph.D.
Southern University and A&M College System

8/24/2018
Effective Date of Policy



The Honorable Mrs. Ann A. Smith
Chair – Southern University System Board of Supervisors

8/24/2018
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