

# UC Davis Policy and Procedure Manual

## Chapter 320, Records and Archives

### Section 19, Access to Public Records

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Supersedes: New

Responsible Department: Campus Counsel

Source Document: California Public Records Act

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#### I. Purpose

- A. This section describes the policy and procedures regarding requests to access public records in accordance with the [California Public Records Act](#).
- B. See [Section 320-20](#) for the policy and procedures regarding privacy of and access to personal information.
- C. This policy applies to student records except when inconsistent with the Family Federal Educational Rights and Privacy Act of 1974 (FERPA). See [Section 320-21](#), for the policy and procedures regarding privacy and disclosure of information from student records.

#### II. Definitions

Additional definitions are provided in [Section 320-20](#).

- A. California Public Records Act (PRA)--provides that access to information concerning the conduct of business in a public university is a fundamental and necessary right of every person in this State; that upon request, public records must be available for public inspection within a reasonable time; and that every citizen has the right to inspect any public records except as provided in the Act.
- B. Public Record--any information relating to the conduct of the University's business, including but not limited to emails, handwritten notes, photographs, audio and video recordings. This includes not just the records that the University creates, but any in its possession.

#### III. Policy

- A. Requests for records should be submitted in writing and be specific enough to determine the location of the record.
- B. Department heads (or designees) have the authority to respond to requests for records, in consultation with the Information Practices Coordinator, as needed.
  - 1. The department head may refer the requestor to the Information Practices Coordinator instead of responding directly to the request.
  - 2. If a record does not exist that contains the information requested, the University is not required to create such a record.
- C. Certain records or portions of records are exempt from disclosure under the PRA. Consult the Information Practices Coordinator before withholding materials or data based on these exemptions. Common exemptions included but are not limited to:
  - 1. Preliminary drafts and notes, in limited circumstances.
  - 2. Personnel, medical, or similar files, when disclosure would constitute an unwarranted invasion of personal privacy. (See [Section 320-20](#)).
  - 3. Privileged information (e.g., trade secrets, or communication between physician and patient, or lawyer and client).
- D. Within 10 calendar days, the University must state whether it will produce the requested records, and if so, provide the estimated time when the records will be made available. The

records must be produced within a reasonable time.

- E. Information requests by the media should be directed to Strategic Communications. (See [Section 310-40](#), procedures on media relations).

#### **IV. Charges for Copies of Records**

- A. Generally, 20 cents per page will be charged for routine photocopying to cover the direct cost of duplication. When electronic data is compiled or extracted, or if computer programming is required, additional charges may apply.
- B. An estimate of costs must be provided. The department may require payment before making the copies.
- C. Charges may not be made for locating, reviewing, redacting, or assembling records, except for some types of data stored in electronic format.

#### **V. Further Information**

- A. Visit the [Office of Campus Counsel website](#) for more information.
- B. For questions regarding this section or the appropriateness of disclosing information, contact the Information Practices Coordinator, (530) 754-6295 or [publicrecords@ucdavis.edu](mailto:publicrecords@ucdavis.edu).

#### **VI. References and Related Policy**

- A. [California Public Records Act.](#)
- B. [California Information Practices Act.](#)
- C. [Family Federal Educational Rights and Privacy Act of 1974 \(FERPA\).](#)
- D. UC Personnel Policies for Staff Members, [Section 80, Staff Personnel Records.](#)
- E. UC Davis Policy and Procedure Manual
  - 1. [Section 310-40, University Communications: Publications, Graphic Standards, Marketing, and Media Relations.](#)
  - 2. [Section 320-20, Privacy of and Access to Personal Information.](#)
  - 3. [Section 320-21, Privacy and Disclosure of Information from Student Records.](#)
  - 4. [Section 320-22, Collection and Confidentiality of Social Security Numbers.](#)