

## Clean Copy

### 301.0804 RECORDS

Pursuant to the Mississippi Public Records Acts of 1983 (the "Act"), effective from and after July 1, 1983, the Board hereby adopts the following regulations and procedures with respect to such records as may be in its possession, or in the possession of any university or other institution under its jurisdiction or control. Such rules and procedures are applicable to and shall govern the right to inspect, copy, or reproduce or obtain a reproduction of any public records in the possession of the Board, or any institution under its jurisdiction or control.

- A. Any person wishing to inspect or copy public records must make the request in writing to the agency and must clearly identify the specific information sought. All requests should be dated and include the name of requester, address of the requestor, and current contact information for the requestor. Any response by the Board for a request for access to records will be forwarded to the requesting party within seven (7) working days of the receipt of such request. If the Board is unable to produce the requested record within seven working days after the request is made, the Board shall provide a written explanation to requestor(s) stating that the record will be produced and specifying with particularity why the record(s) cannot be produced within the seven-day period. Absent a mutual agreement between the parties, in no event shall the date for the Board's production of requested records be any later than fourteen (14) working days from receipt by the Board of the original request.
- B. Denial by the Board of a request for access to or copies of public records shall be in writing and shall contain a statement of the specific exemption relied upon by the Board for the denial. A file of all denials of requests for public records will be maintained by the Board for a period of no less than three (3) years from the date such denials are made.
- C. Recipient(s) will be assisted by a staff member at a charge not to exceed actual costs. Actual costs for search, review and/or possible redaction of information by a staff member will be based upon the hourly rate of compensation for the lowest paid agency employee qualified to perform the task and multiplied by the actual time utilized to complete the task. Recipient(s) will be charged fifteen cents per page for standard black and white photocopies. For all nonstandard photocopies, actual costs of reproduction will be assessed to recipient(s). Records will be available for inspection and copying by appointment during regular working hours (8:00 a.m. – 5:00 p.m.), Monday through Friday, holidays excluded.
- D. Recipient(s) will deposit cash, check or money order in escrow with the staff accountant prior to receiving material. This estimated amount must be sufficient to cover the estimated cost of the staff member's assistance, copying fees, mailing fees, and/or any associated reproduction fees. Recipient(s) desiring information by mail will be charged actual mailing costs in addition to those costs set forth in subsection C.

- E. Adequate space to inspect requested documents will be provided at no cost, if available. Recipient(s) will be provided requested documents by a staff member but no more than two recipients per organization will be assisted at a time.

Miss. Code Ann., § 25-61-1 -17, as amended.  
(BT Minutes, 9/90; 1/98; 3/2008; 8/2010)

## Proposed amendments.

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- ~~A. Any person wishing to inspect or copy public records must make the request in writing to the agency and must clearly identify the specific information sought. All requests should be dated and include the name of requester, address of the requestor, and current contact information for the requestor. Recipient(s) should submit a written request indicating the specific information wanted.~~ Any response by the Board for a request for access to records will be forwarded to the requesting party within ~~seven (7)~~ fourteen working days of the receipt of such request. If the Board is unable to produce the requested record within seven working days after the request is made, the Board shall provide a written explanation to requestor(s) stating that the record will be produced and specifying with particularity why the record(s) cannot be produced within the seven-day period. Absent a mutual agreement between the parties, in no event shall the date for the Board’s production of requested records be any later than fourteen (14) working days from receipt by the Board of the original request.
- ~~B. Denial by the Board of a request for access to or copies of public records shall be in writing and shall contain a statement of the specific exemption relied upon by the Board for the denial. A file of all denials of requests for public records will be maintained by the Board for a period of no less than three (3) years from the date such denials are made.~~
- ~~B. C. Recipient(s) will be assisted by a staff member at a charge not to exceed actual costs and will be charged \$1.00 per page for making copies.~~ Recipient(s) will be assisted by a staff member at a charge not to exceed actual costs. Actual costs for search, review and/or possible redaction of information by a staff member will be based upon the hourly rate of compensation for the lowest paid agency employee qualified to perform the task and multiplied by the actual time utilized to complete the task. Recipient(s) will be charged fifteen cents per page for standard black and white photocopies. For all nonstandard photocopies, actual costs of reproduction will be assessed to recipient(s). Records will be available for inspection and copying by appointment during regular working hours (8:00 a.m. – 5:00 p.m.), Monday through Friday, holidays excluded.

~~C.~~ D. Recipient(s) will deposit cash, check or money order ~~a certified check, money order, or cash~~ in escrow with the staff accountant prior to receiving material. This estimated amount must be sufficient to cover the estimated cost of the staff member's assistance, copying fees, mailing fees, and/or ~~mechanical~~ any associated reproduction fees. Recipient(s) desiring information by mail will be charged actual mailing costs in addition to those costs set forth in subsection C.

~~D.~~ E. Adequate space to inspect requested documents will be provided at no cost, if available. ~~Recipient(s) will be provided adequate space to work at no cost, if available.~~ ~~F.~~ Recipient(s) will be provided requested documents by a staff member but no more than two recipients per organization will be assisted at a time. ~~In the case of academic programs documents, recipient(s) will be allowed to look at documents from no more than two programs at a time. In the case of all other Board documents, recipient(s) will be allowed to examine documents in a systematic manner to be determined by Board staff.~~

~~E.~~ No more than two recipient(s) per organization will be assisted at a time.

~~F.~~ Recipient(s) desiring information by mail will be charged for copying costs and staff time at the rates given in subsection B C. An additional charge will be added for mailing costs.

~~G.~~ Specific policies will be on file with the Commissioner in the Board Office and will be made available upon request.