

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER PUBLIC RECORDS REQUEST PROCEDURES

Purpose:

Mississippi law requires that public entities, which includes The University of Mississippi Medical Center (UMMC), provide access to or copies of the public records of UMMC in response to a written request. [§§25-61-1, *et seq.*, Mississippi Code of 1972]. The mandate for open disclosure of the public records has certain exceptions from disclosure, but those exceptions are limited. The law requires that a public entity that receives a public records request must comply with a written request within up to 14 working days pursuant to its written policy.

Policy:

UMMC follows the policy of the Board of Trustees of State Institutions of Higher Learning which directs the method and time within which responses to written public records requests are to be made. [[IHL Policy 301.0804](#)]

Procedure:

To ensure compliance with the law and the above referenced IHL Board policy, the following are hereby adopted by UMMC for the processing of all public records requests:

1. Upon receipt of a written public records request signed by an individual requester, personally delivered or by mail, the UMMC official will immediately (within one business day) forward a copy of the request to the Division of Public Affairs and the Legal Affairs Office. The Division of Public Affairs will then notify the appropriate administrative official.
2. Upon receipt, the Staff Attorney will review the request for compliance with the law.
3. If the request constitutes an appropriate request requiring a response, in the opinion of the Staff Attorney, the Staff Attorney and the Division of Public Affairs will then communicate with the UMMC official within whose office the records are maintained (i.e., Records Custodian) to determine whether UMMC does have any records identified in the request within its possession and/or control.
4. If the request identifies records which are within UMMC possession or control as verified by the Records Custodian, then the Staff Attorney will advise the Records Custodian of the standard exemptions that apply to public records release. The Records Custodian will meet with the Staff Attorney and advise what records exist, if any.
5. The Records Custodian in consultation with the appropriate administrative official and Staff Attorney will then determine whether the records or any part of the records are subject to exemption from disclosure.
6. If the Staff Attorney determines that no exemption applies to the records, or any part thereof, then:
 - a. The Records Custodian will advise the Staff Attorney of the cost of

providing access to and/or copies of the records being requested. (See detailed directives in the IHL Board policy for a description of the process and determining costs).

- b. Potential costs to be included, but not limited to, are: salaries of staff who search for the records or attend meeting(s) to establish where records are (if they are in multiple sites on campus), legal costs, secretarial time (to copy, make necessary retractions) and mailing costs. The Records Custodian in consultation with the appropriate administrative official will determine costs.
 - c. The Staff Attorney will notify the requester of the availability of the records and the costs associated with providing the records.
 - d. Upon receipt of the payment of the estimated costs in advance, the Records Custodian in consultation with the Division of Public Affairs will provide the requester with access to or copies of the records.
7. If the Records Custodian determines that an exemption does apply to the records, or any part thereof, then the Records Custodian so notifies the Staff Attorney, who in turn will issue a full or partial denial of the request to the requester. In the event of a partial denial, the process described in paragraph 6 above shall be followed for those records not subject to denial.

Questions regarding this procedure or the implementation thereof should be directed to the UMMC Legal Department.

Adopted: August 21, 2007

For information about this policy, please contact the Legal Affairs Office.