

6. Policy on Requests for Information or Data from the General Assembly Thomas C. Shanahan

Situation: This item is a proposed policy that, if adopted, would provide a process by which the Board of Governors and its members could respond to requests for information and data from the North Carolina General Assembly.

Background: From time to time and pursuant to N.C.G.S. § 120-19 and other applicable law, the Board of Governors and its members receive requests for information and data related to University matters from members of the General Assembly and their legislative staff. This proposed policy seeks to create a process by which the Board may respond to such requests promptly and in a manner that assures accuracy and compliance with applicable law.

Assessment: The proposed policy seeks to create a streamlined process to handle requests for information and data from the General Assembly and its individual members in a manner that is prompt and compliant with applicable law. The proposed policy would require any individual board member who receives such a request to forward that request to the chair of the board and the president, or his or her designee(s), for written confirmation and handling of the request. The proposed policy also provides the board chair or his or her designee the authority to respond to requests related to University or Board of Governors matters on behalf of the board or its individual members. Similarly, it provides the president or his or her designee the authority to respond to such requests that are addressed to the University of North Carolina.

Action: This item requires a vote.

Requests for Information or Data from the General Assembly

I. Applicability and Purpose. The Board of Governors, its committees, or its individual members may receive requests for information or data related to University of North Carolina and Board of Governors matters from the North Carolina General Assembly, its committees, or its individual members, as authorized by N.C.G.S. § 120-19. General Assembly requests for information or data may be formal or informal, written or oral. The Board of Governors expects to respond to any such request as soon as reasonably practicable under the circumstances, consistent with the requirements of applicable law. To assure accuracy of information and compliance with applicable law, this policy sets expectations for the manner in which board members and General Administration staff will process and respond to such requests from the North Carolina General Assembly on behalf of the board and the president.

II. Receipt and Confirmation of Request. Any Board of Governors member or General Administration staff member who receives a request for information or data from a member of the General Assembly or legislative staff, whether formal or informal in nature, shall promptly deliver or otherwise communicate the request to the chair of the board and the president, or his or her designee(s), for written confirmation of the request and handling.

III. Authority to Respond to Requests for Information or Data. The chair of the Board of Governors or his or her designee will respond on behalf of the board to any request for information or data related to Board of Governors or University matters directed to the board or any of its individual members from a member of the General Assembly or legislative staff. The president or his or her designee will respond on behalf of the University to any request for information or data directed to the University or North Carolina.

IV. Other Matters

A. Effective Date. The requirements of this policy shall be effective on the date of adoption by the Board of Governors.

B. Relation to State and Federal Laws. The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern the activities of the University of North Carolina and its public officials and employees.

C. Regulations and Guidelines. This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.