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I. PURPOSE & AUTHORITY

Pursuant to NCGS § 132-1(b), individuals may obtain copies of public records and public information free or at minimal cost, unless otherwise specified or permitted by law, where "minimal cost" means the actual cost of reproducing the public record or public information. This Procedure ensures that individuals have access to public records and public information while providing clarity regarding the costs individuals may incur as a result of requesting such access in line with Chapter 132 of the North Carolina General Statutes.

II. FEES AND FEE SCHEDULE

A. Prohibited Fees

Fees shall not be charged for the following:

1. Costs incurred by the College to separate or redact confidential information that has been commingled with nonconfidential information.
2. Costs that are neither actual nor the result of extensive use of information technology resources or labor associated with clerical or supervisory assistance in responding to the request.
3. Costs that would have been incurred by the public agency regardless of whether a request to reproduce a public record had been made.

B. Permitted Fees

Fees may be charged for the following:

1. Actual costs of production, defined as direct, chargeable costs related to the reproduction of a public record as determined by generally accepted accounting principles.
2. Special service charges, defined as charges that are reasonable based on the actual cost incurred for the extensive use of information technology resources or labor associated with clerical or supervisory assistance in responding to the request.
3. Legally authorized fees for certified copies of certain records.
4. Costs associated with an employee who is unable to attend to the employee's regular duties as a result of assisting or attending to a requester who is inspecting records.

C. Fee Schedule

Media & Labor Fees[1]

Digital Media (PDF, Word Document, etc.)	Free
Print Media - B&W (8.5" x 11" Letter Size)	1.5 ¢ / page
Print Media - Color (8.5" x 11" Letter Size)	2.7 ¢ / page
Digital Media on Physical Media (USB Drive, CD, etc.)	Cost of Physical Media
Bindings	Cost of Bindings
Other Materials	Cost of Other Materials
Administrative Labor	Not To Exceed $55 / hour

III. FEES ASSESSMENTS

A. Waiver of Fees

The College waives the first fifty dollars ($50) in fees incurred by an individual or corporate entity each fiscal year. The College may also decide to waive fees entirely for nominal requests that require minimal materials and labor costs.

B. Determination of Fees

Media fees shall be assessed based on the total amount of media contained in the finished product; media fees shall not include costs incurred that are incidental to the production of the finished product, such as misprints.

Labor charges will be assessed in quarter-hour increments, rounded down to the nearest quarter-hour, and all requests will be assessed a minimum of a quarter-hour of the appropriate labor rate unless the amount of time required to respond is nominal. Appropriate labor rates will be determined at the sole discretion of the College and shall be done on a reasonable basis,

[1] Not all records may be available in each media format. The College will make reasonable efforts to meet the requirements of the request, but custodians may not always be able to readily produce media in each format (e.g., color copies may not be available using the normal means of the custodian).

taking into consideration the custodian of the record and any special expertise or knowledge required to respond to the records request.

C. Quotes & Invoicing

Before fulfilling a records request for copies of records, the individual requesting the records will be provided an estimated quote for the request. Upon completion of the services, the requester will be provided an itemized invoice for the cost of the record and the related labor services. Upon payment of the invoice, the record will be released to the requester; failure to pay an invoice will result in the withholding of the record and the denial of future record requests until the outstanding balance is paid.

The College will make best efforts to inform a records requester of the cost of a request when the request is to inspect records rather than to make copies. Within a reasonable time after the inspection, the College will submit an itemized invoice to the requester for the appropriate labor rate, if applicable, and for any copies made by the requester using College resources during the inspection, if any.

IV. PUBLIC RECORDS MADE AVAILABLE VIA ONLINE ACCESS

Pursuant to NCGS §§ 132-6(a1) & 132-6.1(a1), public records and information contained in a computer database may be made available online in a format that allows a person to view the public record and print or save the public record to obtain a copy, and any such information made available in this way is not required to be provided in any other way. An example of this is the College's full-time employee directory. If the College has made available a database in such a way, it may reject a request for any such information in a format other than how it has made the information available online. However, if the information contained in a database also exists in a nondigital medium, the College shall allow inspection of the records in accordance with this Procedure. Public records provided in this way are provided free of charge.

V. COMPELLED CREATION OF DATABASES AND PUBLIC RECORDS

The College cannot be compelled to create a database or a record, whether from existing databases, existing records, or information not committed to a record. While the College may create a database or a record, doing so is at the College's sole discretion. Pursuant to NCGS § 132-6.2, the College may negotiate a reasonable charge to create a database or a record. The College may not be compelled to put into electronic medium a record that is not kept in electronic medium.

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