



Delaware State University Procedure

Title: Freedom of Information Requests	Administrative Council approval date: 11/11/06
Related Policies and Procedures:	

Delaware Freedom of Information Act (“FOIA”), DEL. CODE ANN. tit. 29, § 10001, *et seq.*, requires public entities to provide certain public records for inspection and copying. Delaware State University (the “University”) is excluded from all FOIA requirements except with respect to (1) documents relating to the expenditure of public funds and (2) meetings of the full Board of Trustees of Delaware State University. This document sets forth the University’s FOIA response policy and procedure. This is not a comprehensive analysis of the FOIA and should not be relied upon as an analysis of your rights. It is recommended that you review the language of the FOIA and/or consult independent legal counsel to ascertain your rights.

- To request a public record from the University pursuant to the FOIA, you must submit your request *in writing* to:

Director of Media Relations
Delaware State University
Administration building
1200 N. Dupont Highway
Dover, DE 19901

- Your request must set forth your name, mailing address, daytime telephone number, facsimile number (if applicable), and a specific description of the records you are requesting. The request must be signed by the person making the request.
- Telephonic, email or verbal requests will not be accepted.
- Inspection of records is permitted only during regular business hours. For this purpose, regular business hours are on all business days, excluding Saturday, Sunday, and official holidays, between 8:30 a.m. to noon, and from 1 p.m. to 4:30 p.m.
- Requests for inspection or copying of records may be denied if the request creates an unreasonable burden or if the University has reason to believe that the request is intended to be disruptive to operations.

- Records may only be inspected on the University's campus in Dover, Delaware in the presence of an appropriate University designee. Under no circumstances may records be removed from the University's premises. If copies of records are requested after inspection, the University will make such copies pursuant to the record copy policy described herein.
- The University will make reasonable effort to process FOIA requests as promptly as possible. However, some requests may be delayed or denied if:
 - More information is needed in order to retrieve the records
 - The requested records are archived or stored off-campus
 - The volume of requested records is large and will take time to duplicate
 - The requested records are exempt from disclosure by law
 - The requested records do not exist
- The University is only required to produce public records that already exist. There is no requirement for the University to create a record to respond to a request.
- The University may redact records as appropriate before production in response to a request.
- There is no requirement for the University to respond to questions, inquiries or requests for information that are not in compliance with the FOIA and/or the University's policies.
- The University will charge the requestor all reasonable expenses associated with responding to a request, including, but not limited to:
 - Hourly rate for University personnel to search for records, provide records for review, and copy records shall be \$25.00 charged in quarter hour increments
 - Per page charge for copies shall be \$1.50
 - Postage shall be charged at the actual rate promulgated by the United States Postal Service
 - Envelopes, boxes, packaging, etc. shall be charged at their actual cost
 - Outgoing facsimiles shall be charged at \$1.00 per page plus any applicable long distance charges
 - Computer discs, CDs, DVDs, and cassette tapes shall be charged at their actual cost
 - Certified copies of records shall be charged an additional \$5.00 certification fee per record plus any other applicable charge
- As soon as practical after receipt of a request for copies of records, the University will advise the requestor of the charges associated with such request. **Records**

will not be provided until all such charges are paid in full. Charges incurred with respect to review of documents shall be paid immediately upon completion of the review. Response to requests from anyone with a balance due from a previous request will be withheld pending full payment for all previous and the current requests. For these purposes, the University may withhold responses to requests if requestor does not owe a balance when it is believed that the request is being made for the benefit of someone who does owe such balance.

- Request denials may be appealed to:

Vice President of Human Resources, Legal, and Legislative Affairs
Delaware State University
Administration Building
Dover, DE 19901