

SECTION .0300 - PUBLIC ACCESS CONFIDENTIALITY AND DISCLOSURE OF INFORMATION

10A NCAC 97B .0301 PUBLIC ACCESS TO INFORMATION

- (a) Grant recipients must provide access to any books, documents, records, and other information which is requested by the public which is not otherwise required to be confidential as defined in Rule .0302 of this Section.
- (b) Each applicant for programs administered by the Office shall develop and maintain policies and procedures that meet the following minimum requirements:
- (1) All appropriate information will be made available at the time and date agreed upon by the requestor and the grant recipient. The grant recipient will provide space for all requestors to review such information. No information provided to requestors for review shall be removed from the grant recipient's office. Copies of information made available for review may be provided to requestors upon the payment of a fee established by the grant recipient to cover the cost of reproduction.
 - (2) Requests for information to be provided through the mail will be promptly honored when the requested information is readily available (e.g. brochures, previously compiled data, etc.). When the requested information is not readily available, the grant recipient will honor the request if it is feasible to do so within staff and time constraints. In cases where there will be more than a 30-day delay or when the request cannot be met, the grant recipient will so notify in writing the requestor.
- (c) In any case in which an agency concludes that notwithstanding the provisions of this Regulation a document should not be made public, the agency shall immediately request the approval of the Office in writing, giving a description of the document and a full explanation of the justification for the agency's conclusion that the document is not of a public nature. The Office will in such cases make a prompt determination as to whether the document should be disclosed.
- (d) Grant recipients must provide access to any books, documents, papers, or records which the Office, the Department, and duly authorized representatives of any federal or state agency from which the Office has received funds determine are pertinent to any approved program, project, or plan.

History Note: Authority G.S. 132; 143B-10; 143B-276; 143B-277; 143-323(c);
Eff. December 1, 1983;
Amended Eff. October 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015.