

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS55162-LB-193* (2/28)

Short Title: UNC Public Records Amendments.-AB (Public)

Sponsors: Senator Hartsell.

Referred to:

A BILL TO BE ENTITLED

AN ACT MODIFYING THE PUBLIC RECORDS LAWS APPLICABLE TO THE UNIVERSITY OF NORTH CAROLINA, TO PROTECT THE PRIVACY OF APPLICANTS WHO ARE NOT ADMITTED OR WHO DO NOT ENROLL, AND TO PROVIDE THAT CERTAIN AUDIT RECORDS ARE PUBLIC DOCUMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 132-1.1 is amended by adding a new subsection to read:

"(f) Personally Identifiable Admissions Information. – Records maintained by the University of North Carolina, any of its constituent institutions, or by any community college, which contain personally identifiable information from or about an applicant for admission to one or more constituent institutions of the University or to one or more community colleges shall be confidential and shall not be subject to public disclosure pursuant to G.S. 132-6(a). Notwithstanding the preceding sentence, any letter of recommendation or record containing a communication from an elected official to the University of North Carolina, any of its constituent institutions, or to a community college, concerning an applicant for admission who has not enrolled as a student shall be considered a public record subject to disclosure pursuant to G.S. 132-6(a). Nothing in this subsection is intended to limit the disclosure of public records that do not contain personally identifiable information including aggregated data, guidelines, instructions, summaries, or reports that do not contain personally identifiable information or from which it is feasible to redact any personally identifiable information that the record contains."

SECTION 2. G.S. 116-40.7(c) reads as rewritten:

"(c) An internal auditor shall maintain, for 10 years, a complete file of all audit reports and reports of other examinations, investigations, surveys, and reviews issued under the internal auditor's authority. Audit work papers and other evidence and related

1 supportive material directly pertaining to the work of that auditor's office shall be
2 retained in accordance with Chapter 132 of the General Statutes. To promote
3 cooperation and avoid unnecessary duplication of audit effort, audit work papers related
4 to issued audit reports shall be, unless otherwise prohibited by law, made available for
5 inspection by duly authorized representatives of the State and federal governments in
6 connection with some matter officially before them. Except as otherwise provided in
7 this subsection, or upon subpoena issued by a duly authorized court or court official,
8 audit work papers shall be kept confidential and shall not be open to examination or
9 inspection under ~~G.S. 132-6.~~ G.S. 132-6 until completion of the audit report that is
10 based on the working paper. Audit reports and the working papers on which they are
11 based shall be public records subject to examination and inspection to the extent that
12 they do not include information that, under State ~~laws,~~ law, is confidential and exempt
13 from Chapter 132 of the General Statutes or would compromise the security systems of
14 The University of North Carolina. At the time that audit working papers are made
15 available for public examination or inspection, the custodian of the audit working paper
16 may redact the name and personally identifying information of any whistleblower or
17 other person who has initiated an allegation of a violation or impropriety if that person
18 requests that the person's name and personally identifying information be kept
19 confidential."

20 **SECTION 3.** This act is effective when it becomes law.