

**NOTICE TO PUBLIC REGARDING THE RIGHT TO INSPECT PUBLIC UNIVERSITY RECORDS**

This Notice is posted pursuant to NMSA 1978, §14-2-1 *et seq*, commonly referred to as the New Mexico Inspection of Public Records Act (NMIPRA) to provide the public with the essential information relating to the right to inspect public records. See also NMSU Policy Manual, Policy 2.90.40, posted on line under the Policies link from the NMSU home page, and also available for review in hard copy at Zuhl Library.

- A. All public records of the university are open to inspection during regular business hours (Mon-Fri, 8 am to 5 pm), upon request made to the designated Records Custodian, and in accordance with the NMIPRA and New Mexico State University Policy 2.90.40.
- B. Requests to inspect a public record shall be addressed to the appropriate Records Custodian:

<p><b><u>Personnel Records:</u></b> Office of the Assistant Vice President of Human Resource Services New Mexico State University P.O. Box 30001 MSC 3HRS Las Cruces, NM 88003 575-646-8000 <a href="mailto:hrs@nmsu.edu">hrs@nmsu.edu</a></p>	<p><b><u>Financial and Business Records and Contracts:</u></b> Controller New Mexico State University P.O. Box 30001 MSC 3AA Las Cruces, NM 88003 575-646-2431 <a href="mailto:boffice@nmsu.edu">boffice@nmsu.edu</a></p>
<p><b><u>Sponsored Projects Records:</u></b> Office of the Vice President for Research New Mexico State University P.O. Box 30001 MSC 3RES Las Cruces, NM 88003 575-646-2481 <a href="mailto:vpr@nmsu.edu">vpr@nmsu.edu</a></p>	<p><b><u>Student Academic Records:</u></b> Office of the NMSU Registrar New Mexico State University P.O. Box 30001 MSC 3AR Las Cruces, NM 88003 575-646-3411 <a href="mailto:registra@nmsu.edu">registra@nmsu.edu</a></p>
<p><b><u>Student Nonacademic Records:</u></b> Office of the Vice President for Student Affairs and Enrollment Management New Mexico State University P.O. Box 30001 MSC 3EM Las Cruces, NM 88003 575-646-5882 <a href="mailto:registra@nmsu.edu">registra@nmsu.edu</a></p>	<p><b><u>New Mexico Department of Agriculture Business Records:</u></b> Office of the Director/Secretary New Mexico Department of Agriculture P.O. Box 30005 MSC 3189 Las Cruces, NM 88003-8005 575-646-3702 <a href="mailto:tbagwell@nmda.nmsu.edu">tbagwell@nmda.nmsu.edu</a></p>
<p><b><u>University Archives:</u></b> NMSU Archivist New Mexico State University P.O. Box 30001 MSC 3475 Las Cruces, NM 88003 575-646-4756 <a href="mailto:archives@lib.nmsu.edu">archives@lib.nmsu.edu</a></p>	<p><b><u>Real Estate Records:</u></b> Director of Real Estate New Mexico State University P.O. Box 30001 MSC 3545 Las Cruces, NM 88003 575-646-2807 <a href="mailto:realestate@nmsu.edu">realestate@nmsu.edu</a></p>
<p><b><u>Employment Contracts for university president and athletics coaches:</u></b> Office of the General Counsel New Mexico State University P.O. Box 30001 MSC 3UGC Las Cruces, NM 88003 575 646 2446 <a href="mailto:bkite@nmsu.edu">bkite@nmsu.edu</a></p>	<p><b><u>Law Enforcement Records:</u></b> NMSU Police Chief New Mexico State University P.O. Box 30001 MSC 3187 Las Cruces, NM 88003 575-646-3311 <a href="mailto:police@nmsu.edu">police@nmsu.edu</a></p>

- C. Requests for information may be made orally or in writing (email counts as a written request). Requests shall identify the name, address, and telephone number of the requestor, and identify the records sought with reasonable particularity.
- D. Responses to requests shall be made in the same medium as the request. (i.e. email requests shall be responded to via email.)
- E. If a request for information is sent to or received by an NMSU employee who is not the Records Custodian for the records subject of the request, the office/person receiving the request will forward it to the proper Records Custodian.
- F. The requestor need not provide, and the NMSU representative should not inquire into, the reason for which inspection is requested.
- G. The requested public record shall be made available as soon as practicable under the circumstances. If access will not be provided within three business days after the request is delivered to the Records Custodian, the custodian shall provide a written explanation to the requestor when the records will be made available or when the university will respond. If the request is delivered via email, the date of delivery shall be the date that the Records Custodian reasonably should have opened the email.
- H. Original records may be inspected on site only, subject to reasonable conditions imposed by the Records Custodian to protect the integrity of the original records, and to prevent disruption of normal operations.
- I. If the public record is available in electronic format and the requestor specifically requested an electronic copy, the Records Custodian will provide the public portions of the record in electronic format. The university is not obliged to compile or otherwise create a new record in response to a request for inspection or for copies.
- J. For copies, the requestor will be required to pay in advance a fee of up to \$1.00 per page, or the cost of the electronic storage device and/or costs of electronic transmittal.
- K. Unless the request is determined to be excessively broad or burdensome, the inspection must be allowed within 15 days from the date the request was received.
- L. If the Records Custodian determines that the type or nature of a request makes it excessively burdensome or broad, notice may be sent to the requestor, within 15 days from receipt of the request, informing that additional time will be needed and/or inviting clarification regarding the records sought.
- M. NMSU representatives shall protect from disclosure all confidential information exempt under the NMIPRA or other law or authority. Two federal laws that prohibit the public disclosure of university records are the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA). Requests for inspection will be considered and permitted consistent with the rights of the parties.
- N. The Records Custodian coordinates with the Office of General Counsel prior to release of records, and especially if a denial of inspection is contemplated.
- O. The Records Custodian will separate public from private/confidential information prior to allowing any public inspection and shall ensure that the private/confidential material is redacted and further that any metadata is not susceptible to subsequent electronic/computerized recovery. If necessary, a partial printout of data containing public records or information may be furnished in lieu of an entire database.
- P. The requestor may deem the request denied if no response is received within 15 business days from the date request was received by the Records Custodian.