

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE BILL 543*

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

Sponsors: Senator Hartsell.

Referred to: Judiciary II (Criminal).

March 7, 2007

A BILL TO BE ENTITLED

1 AN ACT MODIFYING THE PUBLIC RECORDS LAWS APPLICABLE TO THE
2 UNIVERSITY OF NORTH CAROLINA, TO PROTECT THE PRIVACY OF
3 APPLICANTS WHO ARE NOT ADMITTED OR WHO DO NOT ENROLL, AND
4 TO PROVIDE THAT CERTAIN AUDIT RECORDS ARE PUBLIC
5 DOCUMENTS.
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7 The General Assembly of North Carolina enacts:

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

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

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

25 "(c) An internal auditor shall maintain, for 10 years, a complete file of all audit
26 reports and reports of other examinations, investigations, surveys, and reviews issued
27 under the internal auditor's authority. Audit work papers and other evidence and related
28 supportive material directly pertaining to the work of that auditor's office shall be
29 retained in accordance with Chapter 132 of the General Statutes. To promote

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

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