

**CenterPoint Human Services  
POLICY ON PUBLIC INQUIRIES  
PO-7.05  
Consisting of 2 pages.**

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**Authorized Signature**

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**Date**

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**PUBLIC INQUIRIES**

The purpose of this policy is to establish requirement for proper response to inquiries by the public to employees of CenterPoint Human Services (“CPHS”) regarding operations of CPHS or information that would otherwise be contained in public records. It is the intent of this policy to allow the public to inspect records in accordance with Chapter 132 of the General Statutes, and to allow for and promote transparency in the operations of CPHS. It is the further intent of this policy to streamline the responses to public inquiries about the operations of CPHS.

**I. General Duty to Disclose “Public Records”**

Pursuant to N.C. Gen. Stat. § 132-1, et. seq., CPHS must allow inspection of “Public Records” and provide copies of Public Records, if requested, unless otherwise specifically provided by law. The term “Public Records” is broadly defined in Chapter 132, and includes, among other things, all documents, papers, letters, maps, photographs, and all other documentary material, regardless of physical form or characteristics made or received in connection with the transaction of business. “Public Records” does not include client files or charts.

**II. No Duty to Create Records**

Chapter 132 of the North Carolina General Statutes provides that when a state agency maintains records for its own operational purposes, the public enjoys a general right to inspect and copy those records. But, generally, the public has no right to demand that an agency maintain records that the agency has no need for itself nor to demand that the agency maintain records in any specific way that

facilitates the use of the records by the public. Thus, CPHS has no general requirement to create new records.

### III. No Requirement for Employees to Reveal Information

A CPHS Employee who has information regarding the operations of CPHS, unless otherwise provided in the job description of such employee, has no obligation to provide that information to anyone who requests it. Thus, while the custodian of CPHS records has an affirmative obligation under Chapter 132 to allow inspection and make copies of public records, there is no obligation that CPHS employees be subject to inquiry regarding CPHS operations unless that employee is specifically charged by CPHS to answer inquiries from the public.

### IV. Directive to CPHS Employees

- A. CPHS Employees are directed not to respond to telephonic or email communications from the public unless such employee's job description requires such response, and instead, the employee is directed to request the person making such communication to (i) make a Public Records request pursuant to North Carolina General Statutes [and CPHS' Public Records Policy], or (ii) attend a CPHS meeting or public forum at which his or her concerns can be voiced.
- B. This policy is intended to allow resources of CPHS to be used in an efficient manner, while inquiries of the public to be answered in a consistent, efficient and economical fashion.
- C. This policy allows requests to be funneled to one or more persons in charge of such requests, and promotes transparency by promoting accurate and full disclosures.

### V. Procedure

- A. All inquiries for public records or additional information shall be made by the public in writing, which includes electronic mail. If a request is made orally, the requestor shall be instructed to reduce the request to writing.
- B. Such request, if for public records, shall be forwarded to the CPHS records custodian, who shall honor such request consistent with State Law.
- c. If such request does not contain a request for Public Records, then the requestor shall be encouraged to (i) attend a public forum initiated by CPHS at which issues such as the requestor's are addressed, (ii) make such request to the CFAC, and (iii) attend a meeting of the CPHS Board, which meetings are open to the public.