



## USC Upstate Policy on Freedom of Information Act Requests

Updated 10/7/22

USC Upstate will respond to requests for records in accordance with the South Carolina Freedom of Information Act (hereinafter "FOIA"). (S.C. Code of Laws § 30-4-10 *et seq.* as amended) All requests for records must be made in writing and submitted here [FOIA\\_Request@uscupstate.edu](mailto:FOIA_Request@uscupstate.edu)

As soon as practicable, USC Upstate will notify the requester as to the public availability of the requested records and if records are produced, they will be produced in accordance with SC Code of Laws § 30-4-30 (C). Records or portions of records not considered public under FOIA and/or any other applicable law will be withheld and/or redacted as appropriate.

USC Upstate will charge for the **search, retrieval and redaction** of records (see SC Code of Laws § 30-4-30 (B)) based on the following fee schedule:

1. **Electronic records** - USC Upstate will charge the number of hours required to search for and retrieve electronic records at the rate of \$25.00/per hour.
2. **Hard copy records** - USC Upstate will charge the number of hours required to search for and retrieve hard copy records at the rate of \$29.20 per hour and a per page charge for hard copies at the commercial rate.
3. **Redaction of records** - If any responsive records or portions of responsive records contain information that is not considered public under FOIA and/or any other applicable law, USC Upstate will charge the number of hours required to redact the records at the rate of \$47.65 per hour.
4. **Deposit** - USC Upstate will require a deposit not to exceed 25% of all of the total reasonably anticipated cost for production of the requested records prior to beginning any search for the requested record(s). On occasion, USC Upstate will commence a search in order to obtain enough information to calculate a reasonable cost estimate.
5. **Other charges** - In some cases there may be additional charges for actual costs incurred in order to respond to a particular request. For example, USC Upstate will charge for postage/ mailing costs if hard copies are requested via mail in addition to the cost incurred to duplicate records. There could be additional costs incurred to search for records if someone with specialized knowledge or skills is required to conduct the search.

USC Upstate is not required to create an electronic version of a public record when one does not exist in order to fulfill a records request. (SC Code of Laws § 30-4-30 (A)(2))

**SC Family Privacy Protection Act Notice - Please be advised that it is a violation of South Carolina**

Law to use "personal information" (as defined by S.C. Code of Laws§ 30-2-30(1)) contained in public records obtained from a South Carolina state agency (including USC Upstate) for commercial solicitation directed to any person in the State of South Carolina. (S.C. Code of Laws§ 30-2-50 (A)) See S.C. Code of Laws§ 30-2-50 (D) for fines and/or imprisonment imposed upon conviction for a knowing violation of this law.