

FREEDOM OF INFORMATION ACT OR “FOIA”

What is it?

FOIA is the state law that indicates that all records maintained by the University (be they handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method) are public records, thus subject to public disclosure.

This is what is known as a “sunshine law,” as in “*let the sunshine in.*” State sunshine laws are intended to ensure transparency in governmental business. On one hand, it means that anyone at anytime can ask for copies of our business records, and if it the records are not exempt, we would have to hand them over. On the other hand, it also means that you, as a state citizen, can contact any public agency and expect the same.

Why is this important?

As a state agency, we have an affirmative duty to comply with FOIA requests. As a state employee, you should remember that everything you put into writing is public and subject to disclosure.

How do you make sure you’re in compliance?

The Office of Audit, Compliance and Ethics responds to Freedom of Information Requests. They will contact you if they need any information. Meanwhile, you should remain vigilant about what you choose to put in email and/or writing and/or voicemail.

Important Notes:

- If you noticed, we have two competing policies here! On one hand, we have FOIA, which states that because we are a state agency, all our records are subject to public disclosure. On the other hand, we have FERPA that states we cannot release any student record without the students consent. In this case, FERPA wins for two reasons. First, it’s a federal law, which trumps our state law. Second, FOIA has carved out an exception that states that universities do not have to disclose student education records. Therefore, we do not disclose student education records even if a FOIA request is made for them.

University Policies that Pertain to this Issue:

- [Responding to Requests for University Records](#)
- [Electronic Workstation Use and Security](#)

Resources:

- Denielle Burl, Director of Risk Management, who may be contacted at denielle.burl@uconn.edu or 860.486.2265.
- Office of Attorney General at the University of Connecticut, which may be reached at 860.486.4241.

- The [Freedom of Information Commission](#), the state agency charged with oversight of our state FOIA law.