PUBLIC RECORDS POLICY

for

THE TENNESSEE ARTS COMMISSION

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for the Tennessee Arts Commission is hereby adopted by the Tennessee Arts Commission to provide economical and efficient access to public records as provided under the Tennessee Public Records Act, Tenn. Code Ann. §§ 10-7-503 *et seq*. ("TRPA").

The TPRA provides that all state, county and municipal records shall, at all times during business hours, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen unless otherwise provided by state law. Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of the Tennessee Arts Commission are presumed to be open for inspection unless otherwise provided by state law.

Personnel of the Tennessee Arts Commission shall timely and efficiently provide access and assistance to Tennessee citizens requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the Tennessee Arts Commission shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for the Tennessee Arts Commission.

This Policy is available for inspection and duplication at the Tennessee Arts Commission and is posted online at https://www.tn.gov/artscommission.html. This Policy shall be reviewed as needed, but no less frequently than every two years.

This Policy shall be applied consistently throughout the Tennessee Arts Commission.

I. DEFINITIONS:

A. Records Custodian: The governmental office, official or employee lawfully responsible for the direct custody and care of a public record. Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.

B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. Tenn. Code Ann. § 10-7-503(a)(1)(A).

C. Public Records Request Coordinator: The individual or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public records requests are routed to the appropriate records custodian and are fulfilled in accordance with the TRPA. Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.

D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

II. REQUESTING ACCESS TO PUBLIC RECORDS

A. Public record requests shall be made to the Public Record Request Coordinator ("PRRC") or his/her designate in order to ensure public records requests are routed to the appropriate records custodian and fulfilled in a timely manner.

B. Requests for inspection *only* cannot be required to be made in writing. The PRRC shall, however, request a U.S. mail address or email address from the requestor in order to provide any written communication required under the TRPA.

C. Requests for inspection may be made orally or in writing and may be made in person at the Tennessee Arts Commission, 320 6th Avenue North, Nashville, TN 37243; or by email at art.communications@tn.gov.

D. Requests for copies shall be made in writing and may be made: by U.S. Mail at the Tennessee Arts Commission, 320 6th Avenue North, Nashville, TN 37243; or by email at art.communications@tn.gov.

E. Meeting Notices are regularly posted and available at https://www.tn.gov/meetings.html and https://www.tn.gov/artscommission.html.

III. RESPONDING TO PUBLIC RECORDS REQUESTS

A. Public Records Request Coordinator

1. The PRRC shall review public records requests and make an initial determination of the following:
    a. If the requestor is a Tennessee citizen;
    b. If the records requested are described with sufficient specificity to identify them; and
    c. If the Tennessee Arts Commission is the custodian of the requested records.
2. The PRRC shall acknowledge receipt of the request and take the following actions, if appropriate:
    a. Deny the request on the basis that:
        i. The requestor is not, or has not presented evidence of being, a Tennessee citizen;
        ii. The request lacks specificity and/or needs clarification;
        iii. The Tennessee Arts Commission is not the custodian of the requested records; or
        iv. The requested records do not exist.
    b. Contact the requestor to see if the request can be narrowed and/or clarified;
    c. Forward the public records request to the appropriate records custodian(s) in the Tennessee Arts Commission with notice of the date the request was received and the deadline for when a response to the request is due;
    d. If requested records are in the custody of a different governmental entity, and the PRRC knows the correct government entity, advise the requestor of the correct governmental entity and PRRC for that entity, if known.
3. The designated PRRC is:
    a. Name or title: Director of Marketing & Communications.
    b. Contact information: TN Arts Commission, 320 6th Avenue North Nashville, TN 37243.

B. Records Custodian

1. Upon receiving a public records request from the PRRC, if the requested records are practicably available and not exempt from disclosure, a records custodian shall promptly make the requested public records available pursuant to Tenn. Code Ann. § 10-7-503(a)(2)(B)(i). If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC or the Office of the Tennessee Attorney General.
2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are subject to inspection; to redact records; or for other similar reasons, then the records custodian shall inform the PRRC, who shall, within seven (7) business days from the PRRC's receipt of the request, send the requestor a Public Records Request Response pursuant to Tenn. Code Ann. § 10-7-503(a)(2)(B)(iii).
3. If a records custodian reasonably determines that production of records should be in installments, the records custodian shall inform the PRRC, who shall, within seven (7) business days from the PRRC's receipt of the request, send the requestor a Public Records Request Response informing the requestor that the production of records will be in installments and that a records production schedule will be provided as expeditiously as practicable.
4. If a records custodian determines that a public records request should be denied because of an applicable exemption, the records custodian shall inform the PRRC, who shall, within seven (7) business days from the PRRC's receipt of the request, deny the request in writing and include the basis for such denial, pursuant to Tenn. Code Ann. § 10-7-503(a)(2)(B)(ii).
5. If a records custodian discovers public records responsive to a records request were omitted in a production, the records custodian shall notify the PRRC, who shall contact the requestor concerning the omitted documents and produce those public records as quickly as practicable.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access.
2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction, which shall be general in nature and not disclose confidential information. A records custodian is otherwise not required to provide any sort of privilege log.

D. Inspection of Records

1. There shall be no charge for inspection of public records that are subject to inspection under the TPRA.
2. Inspection of records shall take place at the offices of the Tennessee Arts Commission, 320 6th Avenue N., Nashville, TN 37243. The location for inspection of records within the offices of the Tennessee Arts Commission shall be determined either by the PRRC or the appropriate records custodian.

E. Copies of Records

1. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
2. Copies will be available for pickup at the Tennessee Arts Commission, 320 6th Avenue N., Nashville, TN 37243.
3. Copies may also be delivered by email or downloaded from Dropbox.
4. A requestor will be allowed to make copies of records with any type of personal equipment, including but not limited to cell phones, portable scanners, or portable copy machines.
5. Copies of public records of the Tennessee Arts Commission that are subject to copyright protection should include a credit to the Tennessee Arts Commission. For example: 1) Photograph courtesy of the Tennessee Arts Commission; 2) Video content provided by the Tennessee Arts Commission;
   3) Audio supplied by the Tennessee Arts Commission.

F. Fees and Procedures For Billing and Payment

1. Fees for copies of public records shall not be used to hinder access to public records.
2. The Executive Director of the Tennessee Arts Commission has determined to waive any fees and labor costs incurred in producing copies of public records pursuant to this Policy.

SIGNED by: Jenny W. Boyd

Chair
Tennessee Arts Commission

Date 10/29/2026

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