

Public Records Brief: Questions and Answers

on Access to Public Records in Maryland

As an entity of the Maryland State government, UMBC is subject to the Maryland Public Information Act (MPIA). The MPIA is similar to the better known federal law, the Freedom of Information Act (FOIA). Under the MPIA, UMBC must provide public access to its records unless certain exceptions apply. The following is a brief summary of the MPIA.

Question #1. What is a **public record**?

Answer: An original or copy of **any documentary material** in any form **made or received** by an instrumentality of State government

- For example, this can include a document or electronic file that lists your salary- but not personal data stored on you by the MVA!

Question #2. Who is a “**custodian**” of a public record?

Answer: The employee who has **physical custody** and **control** of the record

Question #3. Who can get **access** to public records?

Answer: Anybody

-at minimal cost and with minimal delay unless an unwarranted invasion of privacy would occur

Question #4. How do you get access?

Answer: Submit **written request** to the **custodian**

-must be granted or denied by custodian within 30 days

Question #5. What are the exceptions or required denials?

Answer: Access is to be denied if the record is privileged or confidential, or disclosure is contrary to law.

Examples:

- Adoption records
- Welfare records
- letters of reference
- library circulation records
- retirement records
- certain police records (traffic accidents, citations, criminal charging documents if a lawyer is soliciting business)
- personnel records
- hospital records
- student records (public schools)
- medical, psychological or sociological information in a public record
- commercial information- trade secrets/proprietary info in a public record
- home address and phone numbers of public employees (unless by consent)