

# UMD Students and FOIA

## AN OPEN-ACCESS RESOURCE



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# Introduction

Have you ever wondered how decisions are made at the University of Maryland, College Park, or wanted to access specific university records? The Freedom of Information Act (FOIA) empowers students to request specific information from the university. This guide by the UMD SGA will equip you with the knowledge and steps necessary to use FOIA effectively.

— University of Maryland, Student Government Association

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## What is FOIA?

The Freedom of Information Act (FOIA) is a federal law granting the public the right to access information held by government agencies. This includes universities receiving federal funding, like the University of Maryland College Park. FOIA fosters transparency and accountability by allowing you to request and obtain copies of various university records.

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## What Can You Request Under FOIA?

A wide range of university records can be requested under FOIA, including:

1. Policies and procedures:
  - a. Academic regulations

- b. Student conduct policies
- 2. Financial aid guidelines
- 3. Access to relevant communication records between university officials is subject to privacy limitations.
- 4. Financial reports and data:
  - a. Understand the university's financial health and resource allocation.
- 5. Meeting minutes:
  - a. Gain insight into discussions and decisions made by university committees or governing bodies.
  - b. Emails and communications

Remember that most governing bodies, such as the us, RHA, and the University Senate, publish their minutes on their websites for transparency. Student newspapers often use FOIA for their articles.

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## What Can't You Request Under FOIA?

It's important to understand that certain information is not subject to disclosure under FOIA, such as:

- 1. Personal information:
  - a. This includes records containing private information about individuals, such as student grades or medical records.
- 2. Classified information:
  - a. Records classified for national security reasons are generally exempt from disclosure.
- 3. Internal deliberative materials:
  - a. These are documents used in the decision-making process, often containing preliminary discussions and legal advice. This information includes OSC and USJ cases in active deliberation.

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## How to Submit a FOIA Request

The University of Maryland, College Park, has a designated FOIA office and specific request submission procedures. Here's how to get started:

1. Identify the information you need: Be specific about the records you seek. The more precise your request, the easier it will be for the university to locate and provide the information.
2. Review the university's FOIA guidelines: Visit the UMD FOIA website (<https://www.umd.edu/administration/public-information-request>) to understand their procedures and submission forms. The PIA is in the General Provisions Article, §§4-101 through 4-601, of the Annotated Code of Maryland and accessible through the Maryland State Law Library at [www.lawlib.state.md.us](http://www.lawlib.state.md.us).
  - a. The Maryland Office of the Attorney General provides a Public Information Act Manual containing the law itself and narrative descriptions of how it applies to different requests. The manual is available to the public online, and provides meaningful assistance to members of the public and records custodians. For the table of contents and access to the complete Manual, click [here](#).
  - b. The Maryland Public Information Act (PIA) gives the public the right to review and obtain copies of disclosable public records, except to the extent the records are protected from release because they fall within a statutorily recognized exemption to the law. Disclosable public records are only those made or received by a unit of State government in connection with the transaction of public business. In addition, the PIA does not require UM to answer informational questions or create a record to satisfy a request. Your correspondence to the University making a request is a public record and may be asked for by other requesters, along with the University's response.
3. Submit your request: Complete the FOIA request form, clearly stating the information you seek and providing any relevant details (e.g., dates, keywords). According to the university's instructions, you can submit your request electronically, by mail, or in person.
4. Wait for a response: The university has a legal timeframe to respond to your request. It's crucial to be patient and understand that processing times may vary depending on the complexity of your request.
5. Appeal if necessary: If your request is denied in whole or part, you can appeal the decision. The FOIA office can provide information on the appeal process.

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## Ownership of Emails and Other Records

Maryland's Public Information Act (PIA), Md. Code Ann., General Provisions Article ("GP") §§ 4-101 through 4-601 grants a broad right of access to public records while protecting legitimate governmental interests and the privacy rights of individual citizens. As a result, a person can request access to University records. Unless the records fall within a list of exceptions to PIA, the University must disclose records that match the request. For instance, a requestor might request a copy of the University's construction contract for a new building or budget information. A requestor may ask for state employee email communications. UMD's computing and digital information resources are the property of the State of Maryland and, as a result, are subject to the PIA. A requestor can even ask for a list of employees' salaries. However, a requestor cannot request a copy of an employee's personnel file or a list of employees' social security numbers and home addresses.

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## Works Cited

<https://www.umd.edu/administration/public-information-request>  
<https://www.foia.gov>