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April 6, 2017

Tina Dadio
University Public Records Officer and Legal Specialist
University of North Carolina at Charlotte
Cato 3rd Floor
9201 University City Blvd
Charlotte, NC 28223

Re: Public Records Request Regarding Application for Consideration by NCAA for Hosting Sporting Events and Any Activity Related to Such Application.

Dear Ms. Dadio,

We are writing on behalf of the American Civil Liberties Union of North Carolina Legal Foundation (“ACLU-NCLF”). This is a request for public records pursuant to North Carolina Public Records Law, G.S. § 132-1 et seq. As enumerated below, this request seeks all information regarding the University of North Carolina at Charlotte’s application for consideration by the National Collegiate Athletic Association (NCAA) to host sporting events and any related activity, including any communications with the NCAA related to the passage or implementation of North Carolina Session Law 2016-3, House Bill 2 (“HB2”) and/or North Carolina Session Law 2017-4, House Bill 142 (“HB142”).

On March 23, 2016, the North Carolina General Assembly passed HB2, which, among others things, banned local government entities from extending nondiscrimination protections to lesbian, gay, bisexual and transgender (LGBT) people and barred people from using any restroom at a government-owned facility, including any school, that was inconsistent with the sex listed on the person’s birth certificate. This latter provision was aimed at preventing transgender individuals from using restrooms and locker room facilities that matched their gender identity. In response to the passage of HB2, on September 12, 2016, the NCAA determined that due to the discriminatory environment HB2 created in North Carolina, it would no longer consider bids from within the state for hosting championship events.

Last week, on March 30, 2017, the North Carolina General Assembly passed and Gov. Roy Cooper signed HB142, which replaced HB2 with a new ban on local nondiscrimination ordinances effective until December 2020, and a permanent ban on any state or local regulation of access to restrooms (apart from any regulation through an act of the General Assembly—though no such action has yet been taken). The NCAA announced on April 4, 2017, that it believed HB142 met the “minimal NCAA requirements” and would again consider North Carolina sites for hosting events. The NCAA now requires all entities interested in bidding on hosting events to submit answers to a questionnaire “to demonstrate how they will provide an environment that is safe, healthy, and free of discrimination, plus safeguards the dignity of everyone involved in the event.” (“The NCAA Questionnaire”.) We understand that over 130 bids have been filed with the NCAA by entities, including public universities, colleges, localities, and other public entities, in North Carolina as of August 2016. The NCAA’s April 4, 2017 announcement made clear that “any site awarded a championship event in North Carolina or elsewhere [will] be required to submit additional documentation demonstrating how student-athletes and fans will be protected from discrimination” (“additional documentation”).

To investigate the information provided by certain public entities in North Carolina to the NCAA regarding the implementation of HB2 and its replacement, HB142, the impact these laws have had or will have on LGBT people in our state, and the entities' ability to provide an environment that is free of discrimination, we request, pursuant North Carolina Public Records Law, G.S. § 132-1, that your office produce the following materials, including but not limited to any documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, that relate to, mention or otherwise cover the following:

Any materials submitted to the NCAA from January 1, 2016 through the present and continuing through the date of the response to this request, relating to persons who are LGBT, policies regarding sexual orientation, gender identity, gender expression, transgender status, and/or "biological sex."

Any materials submitted to the NCAA from January 1, 2016 through the present and continuing through the date of the response to this request, relating to HB2 and/or HB142.

Any materials submitted to the NCAA from January 1, 2016 through the present and continuing through the date of the response to this request, relating to any bid to host an NCAA event and/or relating to the process by which sites would be selected for hosting such an event. This includes but is not limited to:

Any emails, memoranda, letters or other documents reflecting internal communications regarding the NCAA bidding process and selection criteria;

Any communications with the NCAA regarding bidding on hosting any events or the process for bidding on such events; and

Any written application and responses to the NCAA Questionnaire, including any drafts of such applications or responses or any amendments to such applications or responses.

Any materials submitted to the NCAA as "additional documentation" referred to in the NCAA's April 4, 2017 announcement.

Any material in the possession or control of your office related to the effect of the passage of HB2 and/or HB142 on the use of restrooms, locker rooms or other multi-user single-sex facilities.

Any material in the possession or control of your office related to the effect of the passage of HB2 and/or HB142 on the ability of your office to protect persons from discrimination based on such a person's sexual orientation, gender identity, gender expression, and/or transgender status, including when contracting with third parties.

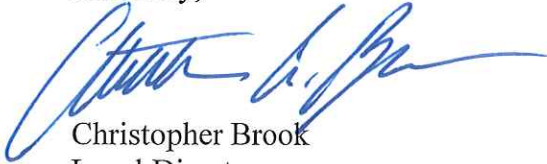
Any materials related to any complaint of discrimination or concern about discrimination based on a person's sexual orientation, gender identity, gender expression, and/or transgender status in the possession or control of your office between March 23, 2016 and the present and continuing through the response to this request.

The ACLU-NCLF requests a waiver of all fees because such a waiver is in the public interest. The ACLU-NCLF is a non-profit tax-exempt organization dedicated to the protection of the civil liberties and constitutional rights of all people. The ACLU-NCLF serves an important public education function, regularly disseminating information of interest to the public through newsletters, news briefings, right-to-know brochures, and other public education materials. If

you challenge our entitlement to a waiver of fees, and if incurred fees will exceed \$100.00, please contact me before the charges are incurred.

In accordance with North Carolina Public Records Law, G.S. § 132-1 et seq., we look forward to receiving a response to this request. In the meantime, please do not hesitate to contact us if you have questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Brook". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Christopher Brook
Legal Director