

61.01.02.H0.01

Public Information



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Procedure Summary

The purpose of the procedure is to assist Texas A&M University-Texarkana employees with compliance in regard to the Texas Public Information Act and to provide procedures to be used for the management of public information requests and compilation of responses. This procedure must be read in conjunction with [System Regulation 61.01.02, Public Information](#). This procedure complies with [System Regulation 61.01.02, Public Information](#) and establishes the procedures to be used in the receipt, referral, and response to public information requests.

Procedures and Responsibilities

1. GENERAL

- 1.1 The Texas Public Information Act designates the Chief Executive Officer (CEO) of each system member as the Public Information Officer (PIO). The President/CEO of Texas A&M University-Texarkana has delegated the PIO responsibilities to the Director of University Compliance. The President/CEO of Texas A&M University-Texarkana has appointed the Director of Human Resources as the backup/alternate PIO to act in the PIO's absence. The identity of the PIO, the PIO's office and mailing address, the member's open records email address and a link to the member's electronic open records portal must be displayed and easily accessible on the member's web site.
- 1.2 The PIO will Compile and coordinate responses and maintain accurate records of all public information requests the member receives.
- 1.3 The PIO must submit all required reports to the Office of the Attorney General as specified by the System Regulation and the Act. The PIO must also submit the annual Public Information Act Compliance Certification to the Office of General Council as required by the System Regulation.
- 1.4 The PIO shall ensure the prominent display of Attorney General's Public Information Act Poster "that contains basic information about the rights of a requestor, the responsibilities

of a governmental body, and the procedures for inspecting or obtaining a copy of public information under” the Act.

1.5 The PIO and the backup/alternate must complete open records training as required by the Act.

2. RECEIPT OF PUBLIC INFORMATION REQUESTS

2.1 Manner of Receipt

2.1.1 No official format is required, but information must be requested in writing and contain requestor contact information. Public information requests may only be submitted by one of the following methods to the PIO: hand delivery, US mail, email, or the electronic open records portal. Requests must be addressed directly to the PIO. Departments receiving requests directly from the requestor by any means should ask the requestor to resubmit the request to the PIO, when possible.

2.1.2 A PIO may not make any inquiry of the requestor except to establish proper identification, seek clarification to determine what public information is being requested, or seek to narrow the scope of a request for a large amount of information. They may not make any inquiry into the purpose of a request. All requests will be treated uniformly without regard to the position or occupation of the requestor or whether the requestor is a member of the media.

2.1.3 Upon receipt of a public information request, the PIO must promptly

- a. Process the request through the member’s electronic open records portal.
- b. Send an acknowledgement of receipt to the requestor, including its assigned portal number.

3. RESPONSES TO PUBLIC INFORMATION REQUESTS

3.1 The PIO will notify the CEO/President of requests that may have public relations significance.

3.2 The PIO will distribute public information requests to the appropriate departments for the purpose of gathering responsive documents. Departments will search for the requested information and notify the PIO by the next business day, if possible, what responsive information the department possesses. The department will then provide responsive documents to the PIO as soon as possible, preferably within three (3) business days. If the three-day deadline cannot be met, the department will notify the PIO and request an extension.

- 3.2.1 Records shall be provided electronically (via e-mail or shared folder) when possible;
 - 3.2.2 If necessary to provide hard copies, copies should be single sided with staples removed;
 - 3.2.3 No redactions shall be made to responsive documents. The PIO is responsible to make exceptions as determined by attorney general decision or Texas Government Code, Chapter 552;
 - 3.2.4 Responses to multiple items shall be sorted and identified per item;
 - 3.2.5 Concerns regarding release of certain responsive items shall be noted and provided to the PIO with the response. The PIO will consult and coordinate with the OGC about responses with potential exception to disclosure under the Act. The PIO is responsible for following the procedures and timelines required in the System Regulation.
 - 3.2.6 If the information for the response cannot be made available within 10 business days after receiving a written request for information, the PIO must certify this fact in writing to the requestor and set a date and hour within a reasonable time when the information will be made available.
- 3.3 A response to a public information request includes responsive documents that exist at the time of a request
- 3.3.1 A governmental body is not required to create new documents in response to a request
 - 3.3.2 A database, as it exists at the time of a request, is considered an existing document.
- 3.4 Responsive documents **MUST ONLY** be distributed by the PIO to the requester.
- 3.5 Charges will be assessed as described in System Regulation 61.01.02, *Public Information*.
- 3.5.1 Cost estimates should be determined by taking a sample section of the responsive information and multiplying the sample by the total number of sections using the rates approved by the Office of the Attorney General as found in the Texas

Administrative Code. The requestor is allowed to narrow the scope of the request upon receiving cost estimate.

3.5.2 The University does not charge for fewer than 50 copies.

3.5.3 Itemized cost estimates will be provided if a request will cost more than \$40 to process.

3.5.4 If a cost estimate is required, it must be provided to the requestor no later than 10 business days after a request is received.

3.5.5 Actual work should not be done until the requestor agrees to the cost estimate and makes a deposit when appropriate.

3.6 All decisions regarding withholding or releasing records will be made in accordance with [System Regulation 61.01.02, Public Information](#).

Related Statutes, Policies, or Requirements

[Tex. Gov't Code, Ch. 552](#)

[Attorney General's Open Government website](#)

[Attorney General's Public Information Act Handbook](#)

[Attorney General's Public Information Act Poster](#)

[Texas Administrative Code Chapter 70, Cost of Copies of Public Information](#)

[System Policy 61.01, Public Information Act Compliance](#)


[System Regulation 61.01.02, Public Information](#)

[System Regulation 61.99.01, Retention of State Records](#)

Contact Office

Director of University Compliance/Public Information Officer
(903) 334-6755

Approved:

Signed by:


9/16/2024

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Date