



ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL

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SUBJECT

REQUESTS FOR RECORDS

SUB-TOPIC

TEXAS PUBLIC INFORMATION ACT

Not later than ten days (excluding Saturdays, Sundays and State and National legal holidays) after the date of the Public Information Officer's receipt of the request for correction, the Public Information Officer shall acknowledge in writing the receipt of the request. The Public Information Officer thereafter shall promptly either make the correction to the information as identified by the person or inform the person of the officer's refusal to amend the information in accordance with the person's request, the reason for the refusal, and the name and address of the official to whom the person may request a review of the refusal. The designated official is the president or his or her designee.

If the person disagrees with the refusal of the Public Information Officer to amend the information, the person may request in writing to the designated official a review of the refusal. Not later than 30 days (excluding Saturdays, Sundays and State and National legal holidays) after the date of the designated official's receipt of the request for review, the official shall complete a review of the matter and make a final determination unless, for good cause, the official extends the thirty-day period.

The institution will make approved corrections in accordance with all applicable laws and regulations, including those pertaining to records retention. The institution may make approved corrections by adding a document that amends but does not replace the document containing the incorrect information.

RESPONDING TO REPETITIOUS OR REDUNDANT REQUESTS

If the Public Information Officer determines that a requestor has made a request for information for which the institution has previously furnished copies to the requestor or made copies available to the requestor on payment of applicable charges, the Public Information Officer may respond to the request by certifying to the requestor that copies of all or part of the requested information, as applicable, were previously furnished to the requestor or made available. The certification must include:

1. A description of the information for which copies have been previously furnished or made available to the requestor;
2. The date that the institution received the requestor's original request for that information;
3. The date that the institution previously furnished copies of or made available copies of the information to the requestor;



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4. A certification that no subsequent additions, deletions, or corrections have been made to that information; and
5. The name, title, and signature of the Public Information Officer or the officer's agent making the certification.

A charge may not be imposed for making and furnishing the certification. Information not furnished in the previous request must be furnished for the new request.

ITEMIZED ESTIMATE OF CHARGES

If a request for a copy of public information will result in the imposition of a charge that exceeds \$40, or a request to inspect a paper record will result in the imposition of a charge that exceeds \$40, the institution shall provide the requestor with a written itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If an alternative less costly method of viewing the records is available, the statement must include a notice that the requestor may contact the institution regarding the alternative method. The institution must inform the requestor of the responsibilities imposed on the requestor and of the rights granted and give the requestor the information needed to respond, including:

1. that the requestor must provide the institution with a mailing, facsimile transmission, or electronic mail address to receive the itemized statement and that it is the requestor's choice which type of address to provide;
2. that the request is considered automatically withdrawn if the requestor does not respond in writing to the itemized statement and any updated itemized statement in the appropriate time and manner; and
3. that the requestor may respond to the statement by delivering the written response to the institution by mail, in person, by facsimile transmission, or by email.

A request is considered to have been withdrawn by the requestor if the requestor does not respond in writing to the itemized statement by informing the institution within 10 days after the date the statement is sent to the requestor that:

4. the requestor will accept the estimated charges; or
5. the requestor is modifying the request in response to the itemized statement.
6. the requestor has sent to the Attorney General a complaint alleging that the requestor has been overcharged for being provided a copy of the public information.

If the institution later determines, but before it makes the copy or the paper record available, that the estimated charges will exceed the charges detailed in the written