



ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL

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4

PAGE

A2-100.0.5

SUBJECT

REQUESTS FOR RECORDS

SUB-TOPIC

TEXAS PUBLIC INFORMATION ACT

ROUTINE REQUESTS, Continued

The written statement must include:

1. a statement that the information is not available in the requested form;
2. a description of the form in which the information is available;
3. a description of any contract or services that would be required to provide the information in the requested form;
4. a statement of the estimated cost of providing the information in the requested form, as determined in accordance with the guidelines for specifying charges for access to public information;
5. a statement of the anticipated time required to provide the information in the requested form.

The institution must provide this written statement to the requestor within 20 days after the date of the institution's receipt of the request. The institution has an additional 10 days to provide the statement if written notice is given to the requestor, within 20 days after the date of receipt of the request, that the additional time is needed.

After providing the written statement to the requestor as required above, the institution does not have any further obligation to provide the information in the requested form or in the form in which it is available until the requestor states in writing to the institution that the requestor:

1. wants the governmental body to provide the information in the requested form according to the cost and time parameters set out in the statement or according to other terms to which the requestor and the governmental body agree; or
2. wants the information in the form in which it is available.

The Public Information Officer must maintain a file containing all written statements issued pursuant to instructions above in a readily accessible location.

NON-ROUTINE REQUESTS

When it is not clear whether the requested information is excepted from required disclosure by the Public Information Act, the Public Information Officer shall consult with the Office of General Counsel within the time frames outlined below to determine whether the records in question should be withheld or released.



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4

PAGE
A2-100.0.6

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TEXAS PUBLIC INFORMATION ACT

NON-ROUTINE REQUESTS, Continued

Subchapter C of the Public Information Act excepts a number of categories of information from required disclosure. On determination by the Office of General Counsel that the requested record falls within one of these excepted categories, The Office of General Counsel shall forward a request for a decision to the Attorney General to confirm that such information shall be withheld from public disclosure. On determination by the Office of General Counsel that the requested information does not fall within one of the excepted categories, the request shall be processed following procedures specified above for a routine request.

REQUESTS FOR PERSONAL INFORMATION

Special right of access to confidential information

Information related to the person and that is held by the institution and protected from public disclosure by laws intended to protect that person's privacy interests will be disclosed to the person or the person's authorized representative in accordance with Sections 552.023, 552.229 and 552.307 of the Act. A person may also request to be informed about information that the institution collects about the individual, as provided by Section 559.003(a)(1) of the Texas Government Code. Requests for information should be made in accordance with the section titled "Receiving and Referring Requests" that appears on page A2-100.0.2 of this policy. Nothing in this policy shall allow an individual access to information to which access is denied by the Act or by other law.

Right to request correction of incorrect information

A person is entitled to have the institution correct information about the individual that is incorrect in accordance with the following procedures, which are established in accordance with Section 559.004 of the Texas Government Code. This policy does not apply to a UTD employee who seeks to correct information in that employee's personnel file; such an employee should comply with the institution's grievance process.

The person should request in writing that the institution correct information about the person that is held by the institution and that is incorrect. The request should specifically identify (1) the information that the person believes to be incorrect and (2) the document or other source in which the information is located. The request also should specify the correction that the person requests. Requests for corrections should be made in accordance with the section titled "Receiving and Referring Requests" that appears on page A2-100.0.2 of this policy.