



ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL

DATE ISSUE
12/21/01

REVISION
4

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A2-100.0.6

SUBJECT

REQUESTS FOR RECORDS

SUB-TOPIC

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.



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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 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;