



**ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL**

DATE ISSUE
12/21/01

REVISION
4

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A2-100.1.1

SUBJECT

REQUESTS FOR RECORDS

SUB-TOPIC
TEXAS PUBLIC INFORMATION ACT

PROPRIETARY INFORMATION OF A THIRD PARTY

If a request is made for information pertaining to a person's proprietary information that may be subject to exception under the Act and a request for Attorney General decision is made by the institution, the Public Information Officer shall make a good faith attempt to notify that person of the request for the Attorney General decision.

Notice must:

1. Be in writing and sent within a reasonable time not later than the 10th business day after the date the institution receives the request for the information; and
2. Include:
 - a. A copy of the written request for the information received by the institution; and
 - b. A statement, in the form prescribed by the Attorney General, that the person is entitled to submit in writing to the Attorney General within a reasonable time not later than the 10th business day after the date the person receives the notice:
 - i. Each reason the person has as to why the information should be withheld; and
 - ii. A letter, memorandum, or brief in support of that reason.

NEWS MEDIA REQUESTS

The Vice Chancellor for Development and External Relations will inform a component chief administrative officer about media requests affecting a component.

At the direction of the chief administrative officer, Public Information Officers are strongly encouraged to coordinate responses to news media requests with other Public Information Officers who have received the same or similar requests and, as appropriate, the Vice Chancellor for Development and External Relations.

REQUESTS FROM LEGISLATORS AND OTHER GOVERNMENTAL OFFICES

At the direction of the chief administrative officer, the Public Information Officer shall notify the Vice Chancellor for Governmental Relations when the component receives requests for public information from members of the Legislative or other governmental offices.

FORM AND APPROVAL OF RESPONSES

Except for routine responses, requested information should be reviewed and approved by the chief administrative officer or designee and the Public Information Officer or designee following appropriate consultation with the Office of General Counsel and the Executive Vice Chancellor for Business Affairs or designee, in the case of multiple component responses.



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As a general rule, cover letters responding to requests for public information should be signed by the Public Information Officer or designee.

RESOLUTION OF QUESTIONS

Questions regarding the procedure for answering requests for public information should be directed to the Office of the Vice President for Business Affairs. That Office will direct any questions that need further clarification to the U.T. System Office of the Executive Vice Chancellor for Business Affairs.

RECOVERY OF COSTS AND GUIDELINES

In accordance with Subchapter F of the Act and Title 1 of the Texas Administrative Code, it is the policy of The University of Texas System to recover the full costs for retrieving and copying public records. Officers filling requests for public information should account for all costs in fulfilling these requests using the following guidelines.

1. The Public Information Officer shall make a preliminary estimate of the cost of retrieving and copying public records under these guidelines and notify the requestor, giving the requestor the option to agree to the cost and submit necessary prepayment (for charges which exceed \$100), and alter, or withdraw the request. If charges are in excess of \$40, the Public Information Officer should follow the procedures outlined in "Itemized Estimate of Charges."
2. Definitions:
 - a. Public Information means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body or for a governmental body and the governmental body owns the information or has a right of access to it.
 - b. Full Cost means the sum of all direct costs plus a proportional share of overhead, or indirect costs.
 - c. Standard-size copy means a printed impression on one side of a piece of paper that measures up to 8-1/2" X 14". Each side of a piece of paper on which an impression is made is counted as a single copy. A piece of paper that is printed on both sides is counted as two copies.
 - d. Nonstandard-size copy means a copy of public information that is made available to a requestor in any format other than a standard-size paper copy. Microfiche, microfilm, diskettes, magnetic tapes, CD-ROM, and nonstandard-size paper copies are examples of nonstandard-size copies.