

**PRAIRIE VIEW A&M UNIVERSITY
UNIVERSITY ADMINISTRATIVE PROCEDURE**



61.01.02.P0.01 Public Information

Approved August 2, 2011

Revised January 24, 2017

Next Scheduled Review: January 2022

UAP Purpose

The purpose of this University Administrative Procedure (UAP) is to assist Prairie View A&M University (PVAMU) employees with compliance in regards to the Texas Public Information Act and to provide procedures to be used in the management of public information requests and compilations of responses. This UAP should be read in conjunction with System Regulation [61.01.02 Public Information](#) which establishes the minimum procedures to be used in the receipt, referral, and response to public information requests.

Definitions

The terms "Public Information" and "Open Records" are used interchangeably.

Official Procedures and Responsibilities

1. GENERAL

1.1 In accordance with the Texas Public Information Act ([Texas Government Code, Chapter 552](#)) and System Regulation [61.01.02 Public Information](#), the Chief Executive Officer (CEO) of each system member has been designated as the Public Information Officer (PIO). The President/CEO of PVAMU has delegated the responsibilities of PIO to the Senior Business Administrator I in the Office of Business Affairs. The Administrative Associate IV in the Office of Business Affairs is the backup/alternate PIO to act in the PIO's absence.

1.1.1 The PIO and backup/alternate PIO shall complete open records training as required by Section 552.012 of the Act.

1.2 The PIO is responsible for the receipt of public information requests (PIRs), coordination of responses and provision of responsive information to the requestors.

1.3 The PIO will distribute public information requests to the appropriate college, division or executive office for the purpose of gathering responsive information.

1.4 The PIO will maintain a record of all public information requests in accordance with System Regulation [61.01.02 Public Information](#), Section 2.5. This record will be

submitted to the Office of the Attorney General, electronically if possible, no later than the end of each subsequent month.

- 1.5 The PIO will submit a Public Information Act compliance certification to the Office of General Counsel (OGC) no later than the last business day of September for the prior fiscal year.
- 1.6 The PIO will notify the President, Senior Vice President for Business Affairs and Associate Vice President of Marketing and Communications of any public information requests that may have public relations significance.
- 1.7 All decisions regarding withholding or releasing records will be made in accordance with System Regulation [61.01.02 Public Information](#), Section 5.

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 the requestor's contact information and should be directed to the PIO.
 - 2.1.2 A governmental body may not inquire into the purpose of a request.
 - 2.1.3 PVAMU employees who receive a request for information by mail or hand delivery must forward the request immediately upon receipt to the PIO in the Office of Business Affairs.
 - 2.1.4 Requests made by electronic mail or facsimile transmission must be addressed directly to the PIO. Departments receiving requests directly from the requestor by electronic mail or facsimile transmission should ask the requestor to resubmit the request to the PIO at <http://www.pvamu.edu/businessaffairs/business-affairs-services/open-records/>, openrecords@pvamu.edu or via facsimile at (936) 261-2159.
 - 2.1.5 The PIO will send a written confirmation of receipt to the requestor as soon as possible.

3. RESPONSES TO PUBLIC INFORMATION REQUESTS

- 3.1 Responses to requests for public information shall only be distributed by the PIO to the requestor.
- 3.2 A response to a public information request includes responsive documents that exist at the time of the request.
 - 3.2.1 The University is not required to create new documents in response to a request for information.
 - 3.2.2 A database, as it exists at the time of the request, is considered an existing document.

- 3.2.3 A governmental body is not required to prepare answers to questions or conduct legal research.
- 3.3 The PIO will promptly distribute public information requests to the appropriate colleges, departments or divisions for the purpose of gathering responsive information.
 - 3.3.1 All documents that are responsive to a request shall be provided to the PIO within five business days. If the information cannot be produced within that time frame, the PIO will be contacted immediately with a request for an extension of up to three business days.
 - 3.3.1.1 Records shall be forwarded electronically (via email, flash drive or CD) whenever possible.
 - 3.3.1.2 If necessary to provide hard copies, copies should be single sided with staples removed.
 - 3.3.1.3 No redactions should be made to the documents.
 - 3.3.1.4 Responses to multiple items should be sorted and identified per request item.
 - 3.3.1.5 Concerns regarding the release of certain responsive items shall be noted and provided to the PIO with the response.
- 3.4 The PIO should promptly forward a copy of the request and responsive documents to the OGC if the PIO has a question regarding the applicability of an exception to disclosure under the Act.
- 3.5 If sources for responsive information are known that are not indicated on the request distribution, the PIO shall be notified as soon as possible.

4. CHARGES FOR PUBLIC INFORMATION

- 4.1 PVAMU is allowed to assess charges for PIR processing, in accordance with the [Texas Public Information Act Subchapter F, Section 552.261](#) and [Texas Administrative Code Part 3, Chapter 70.3](#).
- 4.2 The University does not charge for under 50 copies.
- 4.3 Cost estimates may be an option if a request will cost more than \$40 to process.
- 4.4 If it is determined that a cost estimates is appropriate; it must be provided to the requestor no later than ten (10) business days after a request is received. Estimates will be provided by the PIO.
 - 4.4.1 Cost estimates should be determined by taking a sample section of the responsive information and multiplying the sample by the total number of sections.
- 4.5 Actual work should not be done until the requestor agrees to the cost estimate.

Related Statutes, Policies, Regulations and Rules

[Texas Government Code, Chapter 552](#)

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

[System Regulation 61.01.02 Public Information](#)

Contact Office

Office of Business Affairs 936-261-2150
