



TEXAS SOUTHERN UNIVERSITY
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Legal
AREA: Records Management

Policy 08.03.01

SUBJECT: Open Records Policy

I. POLICY STATEMENT

This regulation establishes baseline procedures to help members of Texas Southern University comply with the Texas Public Information Act.

II. PURPOSE AND SCOPE

Generally, records of Texas Southern University (“TSU”) are open to the public pursuant to the Texas Government Code, Chapter 552, commonly referred to as the Public Information Act (the “Act”). Access to records in the custody or control of TSU is determined by the Act. TSU complies with the letter and spirit of the Act which gives individuals the right to access government records.

All government information is presumed to be available to the public upon written request, although certain exceptions may apply. These exceptions include, but are not limited to, information in personnel files (the disclosure of which would clearly be an unwarranted invasion of privacy), documents related to litigation or settlement negotiations, information relating to the possible purchase of real property, information related to competition or bidding, certain legislative information, certain law enforcement information, student records, trade secrets, agency memoranda or letters not available by law except in the context of litigation; and rare books or original manuscripts held for the purpose of research.

This policy is a directive for the handling of requests for information under the Act and shall be adhered to in accordance with applicable law and the provisions as noted below.

III. POLICY PROVISIONS

3.1 Texas Southern University's Office of General Counsel has been designated as the Information Coordinator responsible for ensuring compliance with the Act and processing public information requests for purposes of the Act.

3.2 Any university personnel receiving inquiries concerning disclosure of information should direct the inquirer to put the request in writing and forward it to the Office of General Counsel in Room 310, Hannah Hall. University personnel who receive a written request for information should forward the request immediately to the Office of General Counsel.

3.3 To request public information from Texas Southern University, submit requests in writing to:

Office of General Counsel
Texas Southern University
By mail: 3100 Cleburne, Houston, Texas 77004
By fax: (713)313-1906
In person: Hannah Hall, Suite 310
By email: legalgeneralcounsel@tsu.edu

The requestor must include enough description and detail about the information requested to enable TSU to accurately identify and locate the information requested.

3.4 The Office of General Counsel will determine if the information requested exists, if it can be released or if it is protected from disclosure. The University shall promptly release requested information that is not confidential by law, either constitutional, statutory, or by judicial decision, or information for which an exception to disclosure has not been sought. If the information is excepted from disclosure, the Office of General Counsel will request an opinion from the Texas Attorney General in compliance with the Act. The requestor will receive a copy of the communication from the University asking the Texas Attorney General's Office for a ruling on whether the information can be withheld under one of the accepted exceptions.

3.5 The Office of General Counsel will handle the release of the information and determine appropriate charges to the requestor, as the University may charge for copies of public information in accordance with the fee schedule set out 1 Tex. Admin. Code Section 70.3. When the cost of the documents will exceed \$40, a written statement of estimated charges in advance of work being started, and opportunity to modify the request in response to the itemized statement, will be sent to the requestor.

3.6 This policy does not prevent either students or employees from examining university records applying to themselves.

3.7 More information regarding rights of requestors and responsibilities can be found at:

- Texas Attorney General's website at <http://www.oag.state.tx.us/opinopen/opengovt.shtml>
- Office of the Attorney General Open Records Hotline at (512) 478-6736 or toll free at(877) 673-6839

IV. REVIEW AND RESPONSIBILITIES

Responsible Party: Office of General Counsel

Review: Every three years, on or before September 1

V. APPROVAL

Cheryl Cash

General Counsel

[Signature]

President

Effective Date: 11/13/2017