

Texas Woman's University University Regulation and Procedure

Regulation and Procedure Name: Public Information

**Regulation and Procedure
Number: URP: 01.300**

Policy Owner: Office of General Counsel

POLICY STATEMENT

Texas Woman's University ("TWU" or "University") is committed to compliance with the letter and spirit of the Texas Public Information Act as set forth in Chapter 552 of the Texas Government Code. This policy promotes transparency, accountability, and access to and disclosure of information to the public. This policy sets forth the appropriate procedure for responding to requests for information made pursuant to the Texas Public Information Act.

APPLICABILITY

This policy is applicable to TWU Students, Employees, Guests, and University Affiliates.

DEFINITIONS

1. "Employee" means an individual who is employed part-time, full-time, or in a temporary capacity as faculty, staff, or who is required to be a student as a condition of employment, undergraduate or graduate.
2. "Guest" means any individual not affiliated with TWU.
3. "Public Information" means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:
 - a. By TWU; or
 - b. On behalf of the University and the University owns the information, has a right of access to it, or spends or contributes public money for the purpose of writing, producing, collecting, assembling, or maintaining the information; or
 - c. By a TWU Employee in the Employee's official capacity and the information pertains to official business of TWU.

- d. The general forms in which public information may exist include, but are not limited to, book, paper, letter, document, printout, photograph, film, tape, microfiche, microfilm, photostat, sound recording, map and drawing, or a voice data or video representation which is held in computer memory.
- 4. “Student” means a person taking courses at TWU, a person who is not currently enrolled in courses but who has a continuing academic relationship with TWU, or a person who has been admitted or readmitted to TWU.
- 5. “University Affiliate” means any individual associated with TWU in a capacity other than as a Student or Employee who has access to TWU resources through a contractual arrangement or other association. This includes the following individuals:
 - a. Contractors and Vendors: an individual, business, or governmental entity that has a fully executed contract to provide goods or services to TWU. This includes employees of contractors or vendors and independent contractors.
 - b. Employee of a Governmental Agency: an individual employed by a federal or Texas state agency.
 - c. Employee of a TWU-Affiliated Institution: an individual who works for organizations that are tightly aligned with the University.
 - d. Pre-Employment Individual: an individual who will be hired by the University and the hiring department has sponsored their access to TWU resources.
 - e. Other University Affiliate: any individual who does not fit into any other category and needs access to TWU resources.

REGULATION AND PROCEDURE

I. Public Information

Public Information includes documentation pertaining to, arising from, or relating to, the operations of the policies, programs, services, or projects of TWU. Public Information includes documentation in any format, including correspondence. All information and records held by TWU are public, unless they fall within a specific exception to the Texas Public Information Act (“TPIA”).

II. Scope

- A. This policy does not apply to a subpoena duces tecum or a request for discovery issued in compliance with an applicable statute or rule of civil or criminal procedure, since neither is a request for information under the TPIA.
- B. This policy does not apply to TWU Employees' access to their own information in their official personnel files, unless barred under provisions of the TPIA.
- C. This policy does not apply to TWU Employees access to public information needed while acting in their official capacity in the course and scope of their employment.

III. Public Information Officer

- A. The TWU Chancellor and President ("Chancellor") has designated the General Counsel as the Public Information Officer ("PIO"). As such, the PIO is responsible for overseeing compliance with the TPIA. The PIO may delegate their duties to a public information coordinator(s), but retains ultimate responsibility for compliance with the TPIA.
- B. The PIO shall protect and maintain public information and make it available as required by the TPIA.

IV. Requests for Public Information

- A. All requests for public information must be made in writing to the PIO. A written request includes a request submitted by hand delivery, mail, email, or electronic submission to TWU's Records Portal.
- B. Proper Methods to Make a Written Request:
 - 1. TWU's Records Portal (See Forms and Tools)
 - 2. TWU must designate one mailing address and one email address to receive public information requests on its website. (See References)
 - a. A written request for information by hand delivery or mail is valid when delivered to the PIO or their designee.
 - b. Email requests are valid when sent to TWU's designated email address.

V. Requests Not Made to the PIO

- A. Any TWU Employees receiving verbal inquiries regarding disclosure of information should ask that the request be put in writing and directed to the PIO.
- B. TWU Employees must immediately forward any written requests for information to the PIO. Upon receiving a forwarded request, the PIO shall respond and provide information on how to make a proper request pursuant to the TPIA.

VI. Responding to Requests for Public Information

- A. Upon receiving a request for public information, the PIO will review the request and determine the appropriate next steps for the request.
- B. If necessary, the PIO will identify all departments or individuals who are likely to maintain information that may be responsive to the request. The PIO shall contact these departments or individuals and instruct them to submit all potentially responsive information by a specified deadline. The departments or individuals must search for potentially responsive information and provide it to the PIO by the specified deadline. If applicable, the departments or individuals must inform the PIO that no responsive documents exist by the specified deadline.
- C. The PIO will review all information provided to determine if it is responsive to the request and, if so, whether the responsive information is to be released or if other action will be taken as authorized under the TPIA.
- D. The PIO will coordinate the release of any responsive information and determine appropriate charges to the requestor per the TPIA.
- E. The PIO is not obligated to create new information, do legal research, or to answer questions.

VII. No Obligation After Release of Information

After information has been released under the TPIA, TWU is not required to provide the requestor with any further information regarding their request.

VIII. Employee Public Information Requests

TWU Employees are not authorized to submit public information requests to TWU while acting in their official capacity. Any public information requests made by a TWU Employee must be submitted in that Employee's individual capacity as a private citizen.

IX. Potential Liability for Failure to Comply With the TPIA and This Policy

Failure to comply with the TPIA and with this policy could expose TWU and individual employees to sanctions, including civil and criminal liability. Employees also face disciplinary action by TWU. Actions that may be considered a violation of the TPIA or this policy include, but are not limited to, the destruction, removal, or alteration of public information; the failure or refusal to provide access to or copies of public information; and the intentional disclosure of information considered confidential under the TPIA.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

REFERENCES

[Texas Government Code Section 552](#)

[Office of General Counsel – Public Information Requests](#)

FORMS AND TOOLS

[TWU's Records Portal](#)

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