

## POLICIES AND PROCEDURES

Subject: Open Records Policy Reference: E-XXVII

Source: President Eff. Date: February 7, 2018

Approval Auth.: President Approved: \_\_\_\_\_

Remarks: Replaces previous policy dated February 21, 2011

Date: February 7, 2018

### **Public Information**

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 the Board or for the Board and to which the Board has a right of access [Gov. Code 552.002 (a)].

### **Confidential Information**

Much of the information maintained by the College is made confidential by law. Such laws include, but are not limited to, the Family Educational Rights and Privacy Acts and the Texas Open Records Act. It is unlawful to refuse to release public information and it is unlawful to release information which is not public information or information made confidential by law.

To ensure that information is being released appropriately, only individuals designated by the college president may receive requests for public information or release information. Information that is released must follow state and federal laws. If any employee receives a request for public information, he/she will immediately refer the request and/or requestor to the President or to an employee designated in this policy to approve such requests. Employees who violate this policy or state or federal laws will be subject to the college's policy for dismissal, discipline, or appropriate criminal penalties.

### **Application for Documents**

Persons desiring to review documents maintained by the college and classified as Open Records shall submit their request in writing on forms provided by the College or in any other written manner that sets forth the required information. The application shall properly identify the document, or documents, to be inspected.

The applicant's name and address must be set forth on the application. A picture identification card, such as a driver's license, may be required to verify identity.

Applications shall be handled in the order in which they are received.

### **Approval of Applications**

The President is the college's officer for public information. Applications to review documents must be approved by the President or by an employee designated to approve applications in this policy.

### **Employees Authorized to Release Information**

Routine Requests Relating to:

Student Records	Vice President, Student Success; Director, Records and Registration; Director, Admissions and Enrollment Director, Financial Aid; Director, Student Development
Personnel Records	Vice President; Finance & Administration Director, Human Resources
Financial Records	Vice President; Finance & Administration Director, Financial Services
Instructional Records	Vice President, Instruction; Dean, Arts & Sciences; Dean, Workforce and Public Service
All Other Requests for Public Information	President or designee

### **Documents Unavailable**

In the event the requested documents are in active use or in storage and, therefore, not available at the time the application to review documents is submitted, the College President or designee shall set forth this fact in writing on the application to the applicant and set a date and hour at which time the requested materials will be available for inspection.

### **Creation of New Information**

The College is not required to prepare or create new information requested by a member of the public. The Open Records Act does not require the College to prepare or generate information in the specific form that may be requested by the public. [See Open Records decisions number 458 (1987), 342 (1982), and 452 (1986).]

### **Designated Inspection Area**

Persons inspecting documents may do so only in a designated inspection area, and a College employee shall be available for assistance.

**Copy Limit**

The College President or designee may limit the number of pages that can be copied and supplied during a person's visit, if the number of copies requested is beyond the reasonable capacity of the available personnel and machines. Copies in excess of the number available during a person's visit will be made and mailed to the applicant in the order in which the request is received.

**Inspection Hours**

Documents may be inspected during regular business hours.

**Requests for Information at a Public Meeting**

Persons requesting information, in a written form, at a public meeting (Board meeting, hearing, or the like) shall be directed to follow the procedures outlined in this policy.

**Cost of Copies**

The College shall apply the General Services Commission's published cost for supplying copies of public information documents to the public.