



**Policy Chapter:** Chapter 4 Administration

**Policy Number and Title:** 04.002 Requests Made Under the Texas Public Information Act

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## **I. Policy Statement**

The University of North Texas believes that as an entity of the State of Texas, it exists in order to serve the people of Texas. Accordingly, it is the policy of the University to grant the public access to information regarding its records, affairs, and transactions in accordance with the Texas Public Information Act as set forth in Chapter 552 of the Government Code. This policy sets forth the appropriate procedure for responding to requests for information made under the Texas Public Information Act.

## **II. Application of Policy**

Staff, Faculty, and Students

## **III. Policy Definitions**

### **A. Public Information**

“Public Information,” in this policy, means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business: (1) by the University of North Texas; or (2) on behalf of the University of North Texas and the University owns the information or has a right of access to it. 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.

## **IV. Policy Responsibilities**

### **A. Custodian of Records**

The Vice Chancellor and General Counsel is designated Custodian of Records for the University. As such, the UNT System Public Information Program in the Office of General Counsel (OVCGC) is responsible for overseeing compliance with the Act. Any questions regarding the Act, this Policy, or a specific request for information should be directed to the Public Information Program.

### **B. Examples of Public Information**

Many different types of information are required to be released under the Act. The following is a non-exhaustive list of information common to the University that usually must be released under the Act:

1. most information contained in the personnel file of University employees;
2. almost all completed reports, audits, evaluations, and investigative reports;
3. notes that are not required to be maintained, but which are kept by a University

employee in the course and scope of employment;

4. most information contained in an account, voucher, or contract; and
5. information that a University employee promises to keep confidential, but is not considered confidential by law.

### ***C. Examples of Exceptions to the Act***

Many types of information may not be disclosed to the public under the Act and must be kept confidential in accordance with the Act, some other law, or court order. The following is a non-exhaustive list of information common to the University that may not be disclosed:

1. trade secrets and commercial or financial information obtained from a person and privileged or confidential by statute or judicial decision;
2. information contained in a book or publication that is commercially available to the public or made available to the public as a resource material, such as a library book;
3. a rare book, original manuscript and certain documents held for historical research that was not created in the conduct or official business of the University;
4. an audit working paper or draft audit; and
5. a test item developed by the University, a licensing agency, or another governmental body.

### ***D. Research Not Required***

1. The Act only requires that documents in paper or electronic form be provided to a requestor. University employees are not required to perform substantive research; prepare answers to questions; or complete research surveys.
2. An alternate procedure is used to respond to survey requests. University Employees who receive a survey request should contact University Planning for further information.

### ***E. Procedures for Responding to Request for Information***

The following procedures apply to all requests for information regardless of whether the request states it is made pursuant to the Public Information Act.

1. Request Must Be In Writing

Requests for information must be made via one of the following methods before the University is required to respond under the Act. If an oral request for information is received, the requestor must be informed of the need to submit the request via one of these methods. The request may be provided to any employee of the University or directly to the UNT System Public Information Program. The methods are:

- a. Email at: [publicinformation@untsystem.edu](mailto:publicinformation@untsystem.edu)

- b. Regular Mail: University of North Texas System, Attn: Public Information Coordinator, 1155 Union Circle #310907, Denton, Texas 76203
- c. Hand Delivery: Attn: Public Information Coordinator, 801 North Texas Blvd., Suite 340 Denton, Texas 76203

2. Forward Request to UNT System Public Information Program

It is imperative that University employees record the date requests for information are received and immediately forward them to the UNT System Public Information Program, unless alternate procedures has been approved authorizing the department to respond to public information requests. Any such approval must be in writing. Any University employee who receives a request and any department authorized to respond to requests shall not make any decision concerning whether requested information is confidential or withhold information without first consulting the UNT System Public Information Program.

3. Right to Seek Clarification

If it is unclear what information is being requested, the UNT System Public Information Program may ask the requestor to clarify the request. If a large amount of information has been requested, the requestor may be informed how to narrow the scope of the request. However, in accordance with the Act, employees are prohibited from asking the requestor why the information is being requested or how it may be used.

4. Deadline for Taking Action on Request

Action must be taken on a request for information within ten (10) business days of initial receipt of the request by any employee or department. The UNT System Public Information will review the request and determine whether the requested information must be released or whether other action will be taken as authorized under the Act.

5. Requirement for Decision From Attorney General

If a determination is made that requested information may be excepted from disclosure under the Act, the UNT System Public Information Program will request an official ruling from the Texas Attorney General, if necessary.

6. Deadline for Providing Public Information

If the UNT System Public Information Program determines that the requested information constitutes public information under the Act, it will notify the department or University employee who initially received the request or who has the information. Within a reasonable time after the request is received, normally ten (10) business days, the requestor must be allowed access to view the information or be provided copies of the requested information.

7. Information in Electronic or Magnetic Medium

If public information exists in an electronic or magnetic medium, the requestor may

request a copy either on paper or in an electronic medium, such as via email or portable storage device. The UNT Public Information Program shall provide a copy in the requested medium if:

- a. the University has the technological ability to produce a copy of the requested information in the requested medium;
- b. the University does not have to purchase any software or hardware to accommodate the request; and
- c. providing a copy of the information in the requested medium will not violate the terms of any copyright agreement between the University and a third party.

8. Responses Requiring Programming or Information Manipulation

- a. The UNT System Public Information Program will inform a requestor if providing requested information requires programming or manipulation of data and if the University has the ability to do so.

9. No Obligation After Release of Information

After information has been released under the Act, the University is not required to provide the Requestor with subsequent updates, corrections, or notice of a change in status of the person to whom the information pertains.

***F. Charges for Information Provided***

1. Assessing, Waiving, and Reducing Charges

The University may charge for providing public information. The UNT System Public Information Program will determine whether fees may be assessed under the Act. The Program also is responsible for determining when fees may be waived or reduced, as permitted under the Act.

2. Requirement to Record Time and Notify Requestor

University employees involved in providing information pursuant to a request under the Act should maintain a detailed record of the time and resources spent responding to the request.

***G. Potential Liability for Failure to Comply With the Act and This Policy***

Failure to comply with the Act and with this Policy could expose the University and individual employees to sanctions, including civil and criminal liability. Employees also face disciplinary action by the University. Actions that may be considered a violation of the Act 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 Act.

**V. Resources/Forms/Tools**

[UNT Public Information Requests Website](#)  
[UNT Public Information Requests Cost Sheet](#)

**VI. References and Cross-References**

[UNT Policy 07.018 FERPA](#)

**VII. Revision History**

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