Compliance, Open Records, and Rules — Oh My!

Office of Risk, Ethics, and Compliance
Texas A&M University
Office of Risk, Ethics, and Compliance

- Chief Compliance Officer
- Civil Rights and Equity Investigations
- Privacy Officer
- University Youth Programs
- Open Records/Public Information Requests
- ADA Coordinator
- Rules and SAPs
- Insurance Services
- Enterprise Risk Management
- Clery
- Compliance—Audit Liaison, DFSCA, MAS
What do things have in common?

- Current Campus Events
- Anything Athletics
- Employees in the News
- Large Contracts and Construction Projects
- Accidents and Investigations
- 60,000+ Students and COVID
What is Public Information?

• Public information consists of recorded information in practically any medium that is collected, assembled, or maintained by governmental bodies pursuant to law or ordinance or in connection with the transaction of official business.

Texas Government Code, Chapter 552- Section 552.002
Open Records Office

- Open Records Office created in 2006
- Dedicated to the principles of open government and strives to ensure compliance as set forth by the Texas Public Information Act.
- Three full-time employees
- Volume of requests continue to increase:
  - FY20 – 1161
  - FY17 – 972
  - FY14 – 765
Designated Public Information Officer

Patricia Bledsoe, Director
979-845-6590  tbledsoe@tamu.edu

General Services Complex
750 Agronomy Road
College Station, TX  77843
Mail Stop 1280

Email: open-records@tamu.edu
Phone: 979-845-4571
Myth: “A public information request must contain specific wording to be processed under the Act.”

• False – Requests for public information must be honored regardless of format.
Common Misconceptions

Myth: “A personnel file is private and not subject to the Public Information Act.”

• False – Personnel files can be requested through the Public Information Act.
Common Misconceptions

Myth: “E-mail produced on my home computer or text using my personal cell phone is never subject to the Public Information Act.”

• False – If it pertains to your work here at the university, it could be subject to the Act.
Things To Consider When Responding

• Provide only the information that is responsive to the request (time period, medium, other) within timelines (10 business days).

• Notify Open Records of concerns about the release of records or exceptions to disclosure in the response.
  – Mark concerns or exceptions to disclosure, but do not redact (mark out) the information.

• Notify Open Records of other offices that may have responsive information.

• Contact the Open Records office before responding if you want to do a cost estimate.
Things To Consider Before Having to Respond

- Records retention and disposition
  - [https://cushing.library.tamu.edu/services/records_mgmt/retention_schedule.html](https://cushing.library.tamu.edu/services/records_mgmt/retention_schedule.html)
  - Records retention schedule - listing of records and records series commonly found in the workplace and the minimum length of time these items must be retained in order to comply with state or federal laws, statutes, judicial rulings, TAMU System rules, or recognized industry practice.
Resources

Methods for Submitting an Open Records Request

• Electronic Open Records Portal
  – https://orec.tamu.edu/open-records/electronic-open-records-portal/
• Email open-records@tamu.edu
• US Mail
• Hand delivery

Other Information

• Cost Information and Estimates
• Key Points and Exceptions Provided by Office of Attorney General
• Providing Responses for Voluminous E-mail Requests
• Scheduling an Appointment to Discuss a Public Information Request
• Texas Attorney General’s Office Open Government Website
• TAMUS Public Information Officers
• System Regulation – 61.01.02 Public Information
• University Standard Administrative Procedure – 61.01.02.M0.01 Public Information
TAMU Governance

• System Policy
  – Ex: 08.01

• System Regulations
  – Ex: 08.01.01

• TAMU Rules
  – Ex: 08.01.01.M1
  – M series is TAMU

• TAMU Standard Administration Procedures
  – AKA: SAPs
  – Ex: 08.01.01.M1.01

• [https://rules-saps.tamu.edu/rules-saps-library/](https://rules-saps.tamu.edu/rules-saps-library/)
Other Governance

• Student Rules
  – https://student-rules.tamu.edu/

• IT Security Controls Catalog

• Faculty Handbook
  – http://dof.tamu.edu/Faculty-Resources/CURRENT-FACULTY/Faculty-Handbook

• College and Department – Internal policies
More on Rules

• Rules/SAPs TAMU Contact:
  Julie Kuder - jkuder@tamu.edu  979-845-8116

• Rules E-mail Listserve:
  – Open to anyone wanting to be notified when new Rules and SAPs are published or revised and also updates to System Policies and Regulations
  – https://rules-saps.tamu.edu/listserv/

• Other Fun Facts:
  – There are currently 247 rules and SAPS
  – Each rule/SAP has Contact Office for questions/interpretation and Related policies at for additional information and reference
  – Rules and SAPs are reviewed at least every 5 years if not earlier
Questions?

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• 979-845-8115