

Procedure: Open Records

Approver(s):	Executive Council
Authorizes release:	Vice President for Administration and Finance
Responsible office:	University Police Department
Update cycle:	Annually or as required
Next update:	June 2016
Last update:	September 2015
Adopted:	
Related policies:	
Additional references:	

Under the Texas Education Code 51.212 you have the right to information relating to law enforcement activities, unless it is confidential by law or falls within an exception to the Government Code.

Note: Student transcripts, medical records and other confidential and protected information cannot be requested through open records.

Open Records Request Procedures:

St. Mary's University is committed to providing customer friendly service, in responding to open records requests for public information, relating solely to the law enforcement activities of the University Police Department. University police information relating to law enforcement activities is public unless it is confidential by law, or falls within an exception to the Public Information Act.

Your request must be in writing and sent via the U.S. mail, or email to the following:

Mailing address: Open Records Request
 Office of the President
 One Camino Santa Maria
 San Antonio, Texas 78228

Email address: openrecords@stmarytx.edu

What your request should include:

Requests for records under the Texas Education Code 51.212 and in reference to the Texas Government Code 552 must be in writing. Including the following information in your request will help ensure that you receive the information you want:

- Your name and mailing address (so we can send you a response)
- Your phone number (so we can contact you if we have questions about how to respond to your request); and

A list or description of the specific law enforcement information you are interested in, including time periods. Try to be as specific as possible about the information you are seeking.

Sample written request for information:

Under the Texas Education Code 51.212 and in reference to the Texas Government Code, Chapter 552, I request access copies of _____ (name of the document or type of information)

I request the copies be sent to the following name and address:

Name:

Mailing address:

In case you have questions, please contact me via email or phone.

Email address:

Phone number (daytime):

Fees for Records Requests

St. Mary's University uses the rates established by the Office of the Attorney General to determine charges for copies of public records.

If the cost of the request is expected to exceed \$40, St. Mary's will send a cost estimate letter to the requestor. The estimate letter includes an itemized statement of any copying, personnel, mailing or other charges that will be incurred in fulfilling the request. Once the requestor confirms that he or she agrees to the estimated costs, St. Mary's will begin compiling the records. If the requestor does not respond to the cost estimate letter within ten (10) days, the request will be closed.

Where estimated costs exceed \$100, the requestor will be required to make a deposit before any records are compiled. Typically, the deposit will be equal to the estimated cost of reproducing the requested records.

Charges include:

Paper copies – single sided, black ink, standard size \$0.10 per page

Paper copies – single sided, black ink, non-standard size \$0.50 per page

Labor charges:

Personnel time for locating, compiling and reproducing records (if less than 50 pages of paper copies, no personnel costs are charged) \$15 per hour

Overhead 20% of labor

Confidential or Protected Information:

Some of the information maintained by St. Mary's University Police may contain information that is confidential / protected or not covered under the Texas Education Code 51.212, subsection (f) and in reference to the Texas Government Code 552, such as the following:

- Student information / records;
- Medical information / records;
- Driver's License and motor vehicle information;
- Attorney-client communications;

- Attorney work product;
- Documents made confidential by statute;
- Documents claimed to be proprietary by a third party (trade secret information)

If you want copies of confidential or protected information listed above, it will be necessary for St. Mary's to request an Attorney General's opinion about this information. The information will not be available for review until after the Attorney General makes a decision about whether the information is to be made available. The Attorney General's office has 45 business days to make a decision on whether the information may be released.

If part of the information you requested is considered public information, then you will receive copies of the information, even if a request for an Attorney General's open records opinion is necessary regarding the confidential or protected information. If public information and confidential or protected information are both included in a single document, the document will be provided to you. However, the information believed to be confidential or protected will be redacted (marked out) while the request for an Attorney General's opinion is pending.

If you are not seeking access to confidential or protected information, you may simply state in your request that you do not want any information that is not considered public information by the Office of the Attorney General.

St. Mary's University administrative offices are open Monday through Friday, 8 a.m. to 5 p.m., except for holidays and other campus closures. Any email received after 5 p.m., will be received on the following business day.

If you need a special accommodation for your request, pursuant to the Americans with Disabilities Act (ADA), or have any questions regarding this policy, please contact the Chief of Staff, Office for the President at 210-431-4373.