

G.1.1.2 (Procedure) Guidelines for Public Information Request Charges

Responsible Department: Associate Vice Chancellor of Communications, Legal Services

Based on Board Policy: [G.1.1](#) Public Information

Approved: 8-18-09

Last Amended: 2-24-15

A. General Cost Provisions

In general, charges are allowed for copies of public information to recover the cost of materials, labor and overhead. However, if a request is for fifty or fewer copies of paper records, the allowable charges are limited to the per-page charge for each copy, unless the records to be copied are located in (a) two or more separate buildings or (b) a remote storage facility. However, for inspection of records, charges are generally not allowed.

Guidelines for charges associated with providing copies of public information are governed by 1 TAC 70.10 and are available at:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=T&app=9&p_dir=N&p_rloc=129093&p_tloc=&p_ploc=1&pg=3&p_tac=&ti=1&pt=3&ch=70&rl=3](http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=T&app=9&p_dir=N&p_rloc=129093&p_tloc=&p_ploc=1&pg=3&p_tac=&ti=1&pt=3&ch=70&rl=3)

All such charges shall be coordinated through the Associate Vice Chancellor of Communications. In light of the establishment of a 36 hour limit for requests made by a requestor during each College District fiscal year, a statement detailing the time spent in complying with the current request as well as a cumulative total of time the requestor has accrued towards the limit of 36 hours per fiscal year (see, Section E., below).

B. Charges for Copies of Paper Records and Printouts of Electronic Records

The College District shall recover all costs related to reproducing public information, as allowed by law. A request for copies that results in more than fifty pages also may be assessed charges for labor, overhead and materials. Requests that require programming and/or manipulation of data may be assessed charges for those tasks also, as well as computer time to process the request. The time is calculated in CPU minutes for mainframe and mid-range computers and in clock hours for client servers and PCs.

1. Under 50 pages - easily accessible/on-site. The College District may only charge for copies.
2. Under 50 pages - difficult to retrieve/offsite. For documents located in (a) two or more separate buildings that are not physically connected with each other; or (b) a remote storage facility, the requestor may be assessed charges for labor, overhead and materials.
3. Over 50 pages. The requestor may be assessed charges for labor, overhead and materials

C. Charges for Inspection of Paper Records and Electronic Records

Generally, charges are not allowed for inspection of records; however, the College District shall recover all costs related to reproducing public information that must be copied so that confidential information may be redacted to enable the requestor to inspect

G.1.1.2 (Procedure) Guidelines for Public Information Request Charges

Responsible Department: Associate Vice Chancellor of Communications, Legal Services

Based on Board Policy: [G.1.1](#) Public Information

Approved: 8-18-09

Last Amended: 2-24-15

the information subject to release. No other charges are allowed unless (a) the records to be inspected are older than five years, or (b) the records completely fill six or more archival boxes (12.5"W x 15.5"L x 10"H), and (c) the College District estimates that it will require more than five hours to prepare the records for inspection.

D. Providing a Statement of Estimated Charges

If the College District estimates that charges will exceed \$40.00, it shall provide the requestor with a written itemized statement of estimated charges before any work is undertaken. Additionally, the statement must advise the requestor if there is a less expensive way of viewing the records. The statement must state that the request will be considered automatically withdrawn if the requestor does not respond in writing within 10 business days of the date of the statement that the requestor: (a) accepts the charges (b) modifies the request in response to the estimate, or (c) has sent, or is sending, a complaint regarding the charges to the Attorney General. The statement must also advise the requestor that a response may be sent by e-mail or facsimile, as well as by regular mail or in person.

Further, where the request indicates applicability, the estimate must include a statement: (a) the request will require programming and/or manipulation of data, and (b) complying with the request is not feasible or will substantially interfere with the College District's ongoing operation; or (c) the request can only be fulfilled at a cost that covers the programming and/or manipulation of data,

If after receiving agreement from the requestor for the charges, but before completing the request, the College District determines that the actual charges will exceed the agreed-upon charges by more than 20 percent, the College District shall provide the requestor an updated statement of estimated charges. If the College District does not provide the requestor with an updated statement, charges are limited to the initial estimate plus 20 percent. If the requestor does not respond to the updated estimate, the College District shall provide the records for the original estimated amount.

If a request is estimated to exceed \$100.00, the statement may also require that the requestor prepay or provide a bond for the total amount. If a requestor owes more than \$100.00 for previous requests for which costs remain unpaid, the College District may require a deposit or bond for payment of the unpaid amount before preparing a copy of public information in response to a new request.

E. Cost Provisions Regarding Requests that Require a Large Amount of Personnel Time, Including Multiple Requests from a Single Requestor

The Board of Trustees has established a time limit of 36 hours per requestor, per College District fiscal year ([G.1.1](#) Policy). Except as otherwise provided by law, the limit of 36

G.1.1.2 (Procedure) Guidelines for Public Information Request Charges

Responsible Department: Associate Vice Chancellor of Communications, Legal Services

Based on Board Policy: [G.1.1](#) Public Information

Approved: 8-18-09

Last Amended: 2-24-15

hours shall apply equally to all requestors. Therefore, for each request for public information, the requestor is to be provided a statement detailing the time spent in complying with the current request as well as a cumulative total of time the requestor has accrued towards the limit of 36 hours per fiscal year. The College District may not charge for time spent preparing the statement.

If a requestor meets or exceeds the established limit, the College District shall assess charges for labor, overhead, and material for all subsequent requests, in accordance with the charges referenced in Section A., above.

Legal Reference - TACC Policy Reference Manual

GAA(LEGAL) - Public Information Program: Access to Information

GAB(LEGAL) - Public Information Program: Requests for Information

GAB(EXHIBIT) - Public Information Program: Requests for Information

GAC(LEGAL) - Public Information Program: Student's Right to Know