

PUBLIC INFORMATION PROGRAM GBA  
HANDLING OF PUBLIC INFORMATION ACT REQUEST ADMINISTRATIVE REGULATION

EMS ISD receives Public Information Act/Open Records/Freedom of Information requests on a consistent basis throughout the year. Examples of requests include, but are not limited to, lists of directory information for students or employees, personnel documents including hiring and salary information, emails/communications/records pertaining to a specific event or situation, and district documents. It is essential that employees follow this procedure in the event they are the recipients of such a request, as there are legal penalties for mishandling of an official request. It is the responsibility of the Communications Department to facilitate all official requests submitted in accordance with open records laws. This includes requests from media, parents\*, PTAs/PTSAs, booster clubs, student organizations or other groups.

PROCEDURES  
FOR STAFF

1. Requests for information must be made in writing to invoke the Public Information Act. Requests must be submitted to the district using one of three official avenues: via email to [info@ems-isd.net](mailto:info@ems-isd.net), by mail addressed to the EMS ISD Communications Office, or delivered in person to the Communications Office at the district administration building. Requests not submitted through these defined avenues are not considered an official request to the district and, in accordance with public information law, the district is not obligated to respond.
2. If an employee or a campus/department receives a Public Information Act/Open Records request, they will make a good faith effort to respond to the requestor to provide the official method to submit a request to the district for processing.
3. It is the responsibility of the EMS ISD Communications Department, acting as the Superintendent's designee for official requests, to contact the requestor and acknowledge receipt of the request. Even if the request is addressed to a staff member personally, it is not his/her responsibility to fulfill the request. If the employee has contact with the requestor, it is appropriate to acknowledge the process and that it has been forwarded for appropriate handling in accordance with legal procedures.
4. Individuals should not begin gathering information or take any action until notified by a Communications team member to do so. If the request requires staff time to fulfill, an administrator may be asked to provide an estimate of time. In accordance with law, staff time may be charged at the rate of \$15 an hour, or \$28.50 for technology personnel. The requestor must first agree to accept and pay any staff charges in accordance with the estimate provided prior to district personnel devoting staff time to gather the information.

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5. If the Communication Department staff requests documents from district personnel, they should be provided in a timely manner. Copies of the documents being provided can be kept with the campus/department, but the information being provided should not be altered in any way. Communications staff will review the documents and redact any confidential information as required by law before the information is released for the request.
6. Depending on the nature of the request, legal counsel may be consulted to review documents and ensure proper fulfillment and handling of the request. It is possible that the district's attorneys may contact employees for a discussion of the information that has been turned over.
7. The District has ten (10) business days to acknowledge receipt of the request. By law, a district has a "reasonable amount of time" to fulfill the request. However, it is our practice in EMS ISD to provide requested information in a timely manner.
8. In accordance with House Bill 3033 of the 88<sup>th</sup> Texas Legislative Session, effective September 1, 2023, exceptions to "business days" are Saturdays or Sundays, national or state holidays, and 10 district-designated days. All other days, regardless of the district's calendar, are considered business days for the purposes of public information requests.
9. If the district believes certain records should be exempted from release in response to a request, the district will seek an Attorney General opinion. The district will provide a response to the requestor no later than the 30<sup>th</sup> day after receiving a decision.

PARENT REQUEST

Parents are entitled to view/receive copies of any documents related to their child. Simple requests for copies of progress reports, report cards, test scores, documents in cumulative folders, etc., are not considered Public Information Act requests and do not need to be routed through the Communications Department. However, parent requests are handled as official Public Information Act requests when they involve documents that contain information about students other than their child, require documents from multiple locations (such as requests from parents of students at different schools), or are overly broad in nature. Communications staff is always available to discuss the proper handling of a request.

REQUEST  
FOR POLICE  
RECORDS

The EMS ISD Communications Department is the official point of contact for requests for records of the EMS ISD Police Department. Requests will follow the procedures outlined above.

Exceptions to this are EMS ISD Police Department Incident Reports, Offense Reports, and Crash Reports, which may be obtained directly from the EMS ISD Police Department.