



# WORKFORCE SOLUTIONS of the Coastal Bend

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CATEGORY:	Board Administration	No: 1.0.104.02
TITLE:	Public Information	
SUPERSEDES:	1.0.104.01, dtd 8/25/2011	
EFFECTIVE:	June 27, 2014	
BOARD APPROVAL:	June 26, 2014	
DATE OF LAST REVIEW:	May 15, 2014	

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## I. PURPOSE:

The purpose of this policy is to provide guidance to the Board of Directors regarding compliance with the Public Information Act.

## II. DEFINITIONS:

Coastal Bend Workforce Development Board (Workforce Solutions of the Coastal Bend)- Board of Directors (Board), President/CEO & Board Staff responsible for the planning, oversight and evaluation of the local workforce centers, operated by contracted service providers.

*OAG* – Office of the Attorney General

*Public funds* – Funds of the state or of a governmental subdivision of the states

*Public Information* – Information collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

- by a governing body
- for a governing body and the governing body owns the information or has access to it.

*Requestor* – A person who submits a request to a governmental body for inspection or copies of public information

## III. POLICY STATEMENT:

The Board shall comply with all requirements of the Public Information Act. Workforce Solutions of the Coastal Bend's Public Information Officer will serve as the staff contact person for all inquiries and requests for information under the Public Information Act.

## IV. PROCEDURES:

Members of the public have the right to:

- prompt access to information that is not confidential or otherwise protected;
- Receive treatment **equal** to all other requestors, including accommodation in accordance with the Americans with Disabilities Act (ADA) requirements;

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- Receive certain kinds of **information without exceptions**;
- Receive a **written itemized statement of estimated charges** prior to further processing of the request, when charges will exceed \$40, and opportunity to modify the request in response to the itemized statement;
- Choose, in some instances, whether to inspect the requested information in person, receive copies of the information, or both;
- A **waiver** or reduction of charges if the governmental body determines that access to the information primarily benefits the general public;
- Receive a copy of the communication from the governmental body asking the Office of the Attorney General (OAG) for an opinion on whether the information can or must be withheld under one of the exceptions, or if the communication discloses the requested information, a redacted copy;
- Lodge a written complaint about overcharges for public information with the Office of the Attorney General.

### Obtaining Information

A request for information under the Public Information Act must be submitted in writing:

- **By mail to:** Workforce Solutions of the Coastal Bend , Attn: Public Information Officer, 520 N. Staples St., Corpus Christi, Texas 78401
- **By e-mail to:** [Info@workforcesolutionscb.org](mailto:Info@workforcesolutionscb.org)
- **By fax to:** 1-888 974-3287

Upon receipt of a request for information under the Public Information Act, the Public Information Officer will determine if there is sufficient description and detail to accurately identify and locate the requested information. If there is not sufficient detail, the Public Information Officer will immediately respond in writing to that effect and request clarification.

### Releasing Information

By the 10<sup>th</sup> business day after the receipt of a written request, the Board will:

- Provide the information, or
- If the information cannot be produced within 10 working days, the Public Information Officer will notify the Requestor in writing of a reasonable date and time when it will be available.

### Information Withheld Due to an Exception

By the 10<sup>th</sup> business day after receipt of a written request for information under the Public Information Act, the Public Information Officer will:

- Segregate public information from information that may or must be withheld and provide the public information to the Requestor;
- Request an Attorney General opinion. The request must include:
  - A statement of which exceptions apply;
  - Written comments stating the reasons why the stated exceptions apply that would allow the information to be withheld;
  - A copy of the written request for information;
  - A signed statement as to the date on which the written request for information was received by the Board or evidence sufficient to establish that date; and

- A copy of the specific information requested or samples of the information if a voluminous amount of information is requested. Label the information to indicate what exceptions apply to what parts.
- Notify the Requestor of the referral to the Attorney General; and
- Notify third parties if the request involves their proprietary or other confidential information.

The Attorney General must issue a decision no later than the 45<sup>th</sup> working day from the day after the Attorney General received the request for a decision.

### Cost of Record

All costs in excess of \$40 for producing the requested information will be paid by the Requestor prior to the processing of the request. If the estimated cost of producing the requested information exceeds \$40, the Public Information Officer will notify the Requestor within ten working days.

A person requesting public information must respond to any written estimate of charges within 10 days after the date the Board sent it or the request is considered automatically withdrawn. The Requestor may ask the Board to determine whether providing the information primarily benefits the general public, resulting in a waiver or reduction of charges.

### Requests to Format Information

If a request requires the Board to program or manipulate existing data, and compliance with the request is not feasible or will result in substantial interference with ongoing operations, or the information could be made available in the requested format only at a cost that covers the programming and manipulation of data:

- Within 10 days after the receipt of the request the Board will provide the Requestor a written statement describing the form, in which the current data is available, a description of what is required to provide the information in the requested form and a statement of the estimated cost and the time to provide the information in the requested format.
- If the Requestor does not respond within 30 days the request is considered withdrawn.

### Training

The Public Information Officer will complete a minimum of one hour of educational training on the Public Information Act. The training will consist of the OAG approved open government training. Upon completion the Public Information Officer will obtain a course completion certificate by providing the OAG with the identification code given to her/him at the end of the training course. The training completion certificate will be maintained and made available at the Board office.

## **V. RELATED POLICY INFORMATION:**

Texas Government Code §552, subchapter A

Texas Workforce Commission Local Workforce Develop Rules: 40 TAC §801.1

Family Educational rights & Privacy Act of 1974 §513

Texas Workforce Commission Letter s 48-01, WD 80-5

Public Information Handbook, Office of the Attorney General 2006

New Board Member Orientation Guide, Texas Workforce Commission, August 2005

Additional information is available on the Attorney General of Texas website  
([www.oag.state.us/opinopen/og\\_resources.shtml](http://www.oag.state.us/opinopen/og_resources.shtml))

**VI. RESPONSIBILITIES:**

The Board's Public Information Officer will serve as the staff contact person for all inquiries and requests for information under the Public Information Act.

**VII. FORMS AND INSTRUCTIONS:**

N/A

**VII. DISTRIBUTION**

Board of Directors

Board Staff

Contracted Service Provider Staff

**VIII. SIGNATURES**

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Reviewed by EO Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
President/CEO

\_\_\_\_\_  
Date