



## **Open Records (Public Information Act) Requests Procedures**

Chapter 552 of the Texas Government Code, also known as the Public Information Act (PIA), gives the public the right to access certain government records, including records that pertain to the operation of Wayside Schools' open-enrollment charter schools. The PIA also establishes procedures that governmental bodies must follow when responding to open records requests.

Our goal is to handle your request accurately and efficiently. If necessary, our PIA Officer/Coordinator is available to explain the types of information we have, explain the process, and offer suggestions to assist you in making a successful request.

### **How to Make an Open Records (PIA) Request:**

The following tips may help you make a successful request:

1. Your request must be in writing.
2. Include your complete contact information, especially an e-mail address if you have one.
3. Describe the documents, records, or data.
  - Your request must be specific and include date ranges.
4. You may ask us to redact confidential information to expedite our response to your request.
5. Your request should be for documents, records, or other data that is **already in existence**.
6. The PIA does not require us to answer questions, perform legal research, or comply with a continuing request to supply information on a periodic basis or information as they are prepared in the future.
7. By law, a request is considered to be received during regular business hours (between 8 AM - 5 PM) on a regular business day (not a state or federal holiday, school holiday, closure or skeleton crew day).

---

### **What Happens after you Submit a Request?**

1. We respond to requests in the order that they are received.
2. We are required to release information that is not confidential promptly or that does not fall within one of the exceptions from disclosure under the PIA.
3. The PIA allows agencies up to ten (10) business days to respond to your request. The response could be that we release parts or all the records, that we have no records responsive to your request, that clarification is needed, that we have estimated charges, that we believe the records are confidential and have requested the OAG for a ruling on the records, or that we need additional time to locate, compile, or manipulate the data/records.
4. Please be aware that records rarely exist in just one place. It may take longer to locate, compile, and redact all records, especially when a request is large in scope.



### **What Types of Information are Confidential?**

Some of our records contain information that may be confidential and excepted from public disclosure. Some types of information that the PIA or the Office of the Attorney General (OAG) has said are confidential include, but are not limited to, the following:

- Information that may identify a student (unless you have a right of access)
- Social Security Numbers of a living person
- Credit reports, access codes, account numbers
- Personal e-mail addresses of members of the public
- Certain financial or medical information
- Home addresses, phone numbers, and family member information of New Heights employees
- Certain trade secret or proprietary information submitted by companies

Other information that may not be released include, but is not limited to, the following:

- Privileged attorney-client communications
- Information relating to pending or anticipated litigation, audits, and investigations

### **What Happens if the Information is Confidential, Privileged, or Sensitive?**

Certain types of confidential, privileged, or sensitive information may be excepted from public disclosure. If we believe that the information you requested is confidential or falls within one of the PIA's exceptions, we may submit the information to the OAG to get a ruling (written decision) on the records' status. The OAG generally issues its decisions within 45 days of receipt of our request. The OAG will send you the ruling and we will withhold or release the information as directed by the OAG or in some instances, may appeal the OAG's decision.

### **Requesting records that contain information that may identify a student Student Identifying Information**

In accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA), New Heights is required to withhold from public disclosure personally identifiable information in education records. Before releasing public information, we will remove all personally identifiable information.

Personally identifiable information includes, but is not limited to—

- The student's name, initials, age, grade;  
The address of the student or student's family;  
Names of school personnel and providers of educational services;  
Personal identifiers, such as the student's social security number, student number, or biometric record;
- Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
- Other information that, alone or in combination, is linked or linkable to a



specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty or

- Information requested by a person we reasonably believe knows the student's identity to whom the education record relates.

(Authorities: 20 U.S.C. 1232g; 34 CFR 99.3)

The student may consent to release his/her education records and/or other information to a third-party for a defined purpose.

New Heights **must** receive proper authorization and identification of persons with a right to access student information before releasing any information that may identify a student. Any information that may identify a student must be transmitted through secured means, including Secured Encrypted E-mail and/or may be password protected.

The eligible student or person authorized may give consent to disclose education records and/or other information to a third-party for a defined purpose.

### **Are There Charges for Requesting Records?**

We have established reasonable charges for responding to all requests as permitted under the PIA (see the PIA request form below). When charges exceed \$40, we will provide a written statement of estimated charges in advance of work being started. You must respond to any written estimate within 10 business days of the date it is sent to you, **or the request is considered automatically withdrawn.**

Extensive data and information are readily accessible from New Heights website and records can be inspected in person at New Heights' headquarters by appointment only. These may be less expensive alternatives.

### **How to Submit Your Request**

**To request information from New Heights, please contact:** Dr. Leticia Serna

You may send your request -- ***info@waysideschools.org***

By mail to: Dr. Leticia Serna, 5901 Fitzhugh Avenue, Ft. Worth, TX 76119 By e-mail to: ***lserna@newheightsed.com***

In person at: 5901 Fitzhugh Avenue, Ft. Worth, TX 76119

### **Complaints about New Heights open records**

If you believe that we have not responded as required by the PIA, we ask to have the opportunity to investigate and resolve your complaint through our complaint resolution process. Please contact ***Dr. Leticia Serna at lserna@newheightsed.com.*** However, you have the right to file a complaint with the Texas Attorney General's Office, *Open Records Division Hotline* at (512) 478-6736 or toll-free (877) 673-6839.

For complaints regarding overcharges, please contact the Texas Building and Procurement Commission at 512-475-2497.