1. **Title**

Compliance with the Texas Public Information Act

2. **Policy**

Sec. 1 **Applicability.** This policy is binding on Alamo Trust, Inc. and applies to all requests submitted to Alamo Trust, Inc. under the Texas Public Information Act (TPIA). This policy does not apply to a subpoena duces tecum or a request for discovery issued in compliance with an applicable statute or rule of civil or criminal procedure, since neither is a request for information under the TPIA.

Sec. 2 **Transparency.** As described in the Alamo Trust Board Resolution dated December 2017, Alamo Trust, Inc. intends this policy to promote transparency, accountability, and access to and disclosure of information to the public.

Sec. 3 **Officers for Public Information and Designated Agents.**

3.1 **Delegation of Authority.** The CEO is the officer for public information for Alamo Trust, Inc. The CEO delegates his/her authority under the TPIA to the Public Information Officer(s) ("Officer") described in Section 3.2.

3.2 **Officer.** The Officer for Alamo Trust, Inc. is the Chief of Staff and Chief Financial Officer.

3.3 **Designated Agent.** The Officer is the designated agent for coordinating responses to requests for public information on behalf of Alamo Trust, Inc.

3.4 **Officer's Designee.** The Officer may delegate his or her duties to a public information coordinator(s) or other designee(s) ("Designee"), but retains ultimate responsibility for compliance with the TPIA.

Sec. 4 **General Duties of Officer.**

4.1 **Make Available,** Protect and Maintain Information. The Officer shall protect and maintain public information and

make it available for public inspection and copying as required by the TPIA.

4.2 **Evaluate Resources.** Every two years, the Officer shall reevaluate the adequacy of the staffing level; administrative, technical and physical safeguards; and other resources allocated to comply with the TPIA and inform the CEO, as appropriate, of any changed needs in writing.

Sec. 5 **Sign.** The Officer shall prominently display a sign in the form prescribed by the Attorney General as required by the TPIA.

Sec. 6 **Training Requirements.**

6.1 Each employee of Alamo Trust, Inc. administration shall complete the Alamo Trust, Inc. required TPIA training no later than 90 days after beginning of employment, and then at least once every two years thereafter.

6.2 Alamo Trust, Inc. will also conduct training for general staff whose duties related to potential public information.

6.3 Training is available from the Office of the Attorney General online at: https://youtu.be/pVw1swJrCtg

Sec. 7 **Receiving and Referring Requests.**

7.1 **Written Requests.** All requests for public information must be made in writing. A written request includes a request submitted by hand delivery, U.S. mail, electronic mail or facsimile.

7.2 **Hand Delivery and U.S. Mail Requests.** Any employee who receives a written request for information by U.S. mail or hand delivery shall forward it immediately to the Officer or Designee.

7.3 **Email and Facsimile Requests.** Email and facsimile requests do not trigger the TPIA unless sent directly by the requestor to the designated email address or facsimile line.

7.4 **Requests for Clarification.** All formal inquiries by an Officer or Designee to the requestor for clarification or narrowing

of a request shall be made in writing and sent in accordance with the TPIA.

Sec. 8   Identifying and Gathering Responsive Information.

  8.1 **Identifying Location of Information.** After receiving a request, the Officer or Designee shall identify all offices, departments and individuals who are most likely maintain information responsive to the request.

  8.2 **Gathering Information.** The Officer or Designee shall contact these offices, departments and individuals by email or other written electronic method and instruct them to submit all potentially responsive information to the Officer or Designee by a specified deadline.

  8.3 **Written Response.** Each office, department, or individual contacted under Section 8.2 must submit a written response to the Officer or Designee confirming that:

    (a) a diligent search was performed, and all potentially responsive information was provided to the Officer or Designee; or

    (b) a diligent search was performed, and no potentially responsive information was located.

    This response must include the l a n g u a g e shown in Appendix 1 to this policy.

  8.4 **Review.** The Officer or Designee shall review all information identified to determine if it is responsive.

Sec. 9 **Requests That Do Not Require An Attorney General Opinion.** If requested information is not excepted from required public disclosure or redacting information is permissible without seeking an Attorney General opinion, the Officer or Designee should respond or coordinate responses to the request as required by the TPIA.

Sec. 10 **Requests Requiring An Attorney General Opinion.**

  10.1 Request for Texas Attorney General Opinion. Only the CEO or Chief of Staff is authorized to submit a request for a ruling and the corresponding briefing to the Attorney General on behalf of Alamo Trust, Inc.

10.2 Consultation with Chief of Staff to Seek an Attorney General Opinion.

To begin a consultation about seeking an Attorney General opinion, the Officer or Designee should electronically provide the following to the Chief of Staff no later than 7 business days after the institution receives a request:

(a)   the request for information;

(b)   the requested information or a representative sample of the requested information;

(c)   a list of all possible exceptions the institution believes may apply.

10.3 Representative Samples.

(a)   When submitting to the Attorney General a representative sample of the information being withheld, the representative sample should include:

(1)   at least one exemplar of each type of information that faithfully represents the responsive information; and

(2)   at least one exemplar of information subject to each exception asserted in briefing to the Attorney General.

Sec. 11 **Website.** Alamo Trust, Inc. will maintain a publicly-accessible website that explains how the public can make a public information request.

Sec. 12   **Requests from Legislators and Other Governmental Offices.**

12.1   The CEO or Chief of Staff shall notify the ATI Board Chair when Alamo Trust, Inc. receives requests for public information from members of the Legislature or other governmental offices.

3.   Definitions

Public Information - this term is defined by Texas Government Code § 552.002.

4.   Relevant Federal and State Statutes

Texas Government Code, Chapter 552, Texas Public Information Act

Texas Government Code, Section 559.004, Right to Correction of Incorrect Information

Texas Government Code, Section 559.003, Right to Notice About Certain Laws and Practices

Texas Administrative Code, Title 1, Administration

5. **Relevant System Policies, Procedures, and Forms**

6. **System Administration Office Responsible for Policy**

   Chief of Staff

7. **Dates Approved or Amended**
   December 15, 2017

Appendix 1
(Send by e-mail to recipient)

[date]

Dear [Individual]:

Choose an item. received a Texas Public Information Act ("TPIA") request seeking **[describe information requested]**.

To the extent you or your department maintains responsive information, please provide us all the potentially responsive information by **[deadline]**. Also, if you believe any other employee has some or all of this information, please let us know immediately.

After you complete your search, please reply to this email with one of the following two statements and, if you have responsive materials, please send them to us:

I performed a diligent search of all locations and devices where I believe responsive information is likely to be stored, and am providing all potentially responsive information.

OR

I performed a diligent search of all locations and devices where I believe responsive information is likely to be stored, but did not locate any potentially responsive information.

Thank you for your assistance with this important request.