

# Texas Higher Education Coordinating Board

Student Financial Aid Programs  
P.O. Box 12788 Austin, TX 78711-2788  
Tel. (800) 242-3062 Fax (512) 427-6423

## **How to Request Public Information**

The Texas Higher Education Coordinating Board (“THECB”) is required to comply with the Family Educational Rights and Privacy Act (“FERPA”), which prohibits the release of educational records without the student’s consent. In compliance with FERPA and as part of THECB’s commitment to maintain the privacy of our students/borrowers, THECB requires a written and signed request from the borrower or cosigner, along with verification of the borrower’s or cosigner’s identity through the borrower or cosigner’s copy of photo ID, verification of date of birth and social security number, to release information from the borrower’s records to the borrower or cosigner.

If the request is received from anyone other than the borrower or cosigner, a written consent is also required from the borrower to release information. The written consent must comply with 34 C.F.R. § 99.30, which require that “[t]he parent or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records...” Such written consent must specify the records that may be disclosed, the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. See 34 C.F.R. § 99.30(b).

## **Recorded Information**

Recorded information is information that is collected, assembled, or maintained in connection with the transaction of official business. The Public Information Act (“PIA”) applies to recorded information in practically any medium, including: paper; film; a magnetic, optical, or solid state device that can store an electronic signal; tape; mylar; linen; silk; and vellum.

## **PIA Requests by a Borrower or Cosigner**

1. A written request for information (such as the Public Information Act Request form) must be completed, signed, and dated.
2. The request must ask for records or information already in existence. The Act does not require a governmental body to create new information, do legal research, or answer questions.
3. For identification purposes, the request must include your date of birth, your social security number, and a copy of your driver’s license or other government-issued photo identification.
4. We recommend that you send the original request by regular mail and retain a copy for your files.
5. Mail or fax the written request to: Texas Higher Education Coordinating Board

Attn: Account Services  
P. O. Box 12788  
Austin, TX 78711-2788  
Fax Number: (512) 427-6423

## **PIA Requests by Persons Other Than the Borrower or Cosigner**

1. A written request for information (such as the Public Information Act Request form) must be completed, signed, and dated by the requestor.
2. The student/borrower must complete and submit a ‘Consent to Release Information’ form.
3. The request must ask for records or information already in existence. The Act does not require a governmental body to create new information, do legal research, or answer questions.
4. For identification purposes, the request must include your date of birth, your social security number, and a copy of your driver’s license or other government-issued photo identification.

5. We recommend that you send the original request by regular mail and retain a copy for your files.
6. Mail or fax the written request to: Texas Higher Education Coordinating Board  
Attn: Account Services  
P. O. Box 12788  
Austin, TX 78711-2788  
Fax Number: (512) 427-6423

Please review the [THECB Open Records Policy](#).

### **Duty to Produce**

The governmental body must “promptly” produce the public information for your inspection within a reasonable amount of time. “Promptly” means that a governmental body may take a reasonable amount of time to produce the information. This may vary depending on the case and volume of information to produce.

A governmental body that cannot produce the public information for inspection and/or duplication within 10 business days after the date the written response from the requestor has been received, shall certify to that fact in writing, and set a date and hour within a reasonable time when the information will be available. The governmental body may ask you to clarify your request if there is uncertainty as to what you want.

### **Withholding Information**

With limited exceptions, if a governmental body receives a written request for information that the governmental body wishes to withhold, it must:

1. Seek an attorney general decision within ten business days after its receipt of the request and state the exceptions to disclosure that it believes are applicable.
2. Send the requestor a copy of the letter sent to the attorney general requesting a decision within ten (10) business days after receiving the request.
3. Submit to the attorney general comments explaining why the exceptions to disclosure apply and a copy of the information requested within fifteen (15) business days after receiving the request.
4. Copy the requestor on written comments submitted to the attorney general in Step 3 within fifteen (15) business days after receiving the request.

### **Costs to the Requestor**

As indicated by Section 552.261(a) of the PIA, a governmental body is allowed to recover all costs related to reproducing public information. 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. A request for copies and/or printouts that results in more than fifty pages also may be assessed charges for labor, overhead (which is calculated as a percentage on the labor total), and materials.

The charges are as follows:

1. \$15.00 per hour for labor costs.
2. \$3.00 per hour for overhead costs.
3. \$0.10 per copy.
4. Shipping charges may apply.