



Compliance Community

*System Compliance Program
Office of Audits & Analysis*

Community Spotlight



Therese Sternenberg, TSUS Public Information Act Coordinator

Therese Sternenberg, Assistant Vice Chancellor and System Public Information Act Coordinator, joined the Texas State University System Office of General Counsel in 2009 with over 25 years of legal support experience, including 11 years as senior paralegal and public information coordinator for the Texas Guaranteed Student Loan Corporation and 5 years in the Office of General Counsel at the University of Nebraska System. Therese received her Bachelor of Arts degree from Concordia University at Austin, and her paralegal training through The University of Texas at Austin. She married her high school sweetheart, Fred, 40 years ago, and is a proud mother of three and grandmother of one.

In addition to assisting the Vice Chancellor and General Counsel in assuring timely responses to requests for legal

advice to all System components, Therese answers public information requests for the System Office, and provides guidance to the component public information coordinators in analyzing requests for information; corresponding with requestors; reviewing, redacting and releasing records; identifying confidential information that may be subject to an exception from public disclosure; and preparing written arguments to the Attorney General to protect confidential information. In the past year, the TSUS received and responded to nearly 550 public information requests, more than 50 of which required a request for ruling and briefing to the Attorney General to withhold confidential information. In nearly every instance, the Attorney General agreed that information identified as confidential could be withheld.

A long-time advocate of open government, Therese has presented open records training to hundreds of fellow employees at Texas State University, Sam Houston State University, and Lamar University. In September she will be presenting at the System-wide Title IX training held on the Texas State campus. To stay abreast of changes in open government law, she attends the annual state-wide training offered by the Attorney General, as well as quarterly training opportunities provided by the Comptroller's Office.

The 411 on the Public Information Act

The Texas Public Information Act was adopted in 1973, and was later codified in Texas *Government Code, Chapter 552*. The Act gives the public the right to access government records upon formal request. All government information is presumed to be available to the public, although there are exceptions that may apply to the disclosure of certain information. The preamble of the Public Information Act states:

Under the fundamental philosophy of the American constitutional form of representative government that adheres to the principle that government is the servant and not the master of the people, it is the policy of this state that each person is entitled, unless otherwise expressly provided by law, at all times to complete information about the affairs of government and the official acts of public officials and employees.

The statute outlines the rights of those who are requesting information, as well as the responsibilities that must be adhered to in order to be compliant with the Act. The TSUS is charged with:

- setting reasonable procedures for inspecting or copying public information and informing requestors of these procedures;
- educating employees on the requirements of open records laws;
- informing the requestor if the information cannot be provided promptly and setting a date and time to provide it within a reasonable time;
- requesting a ruling from the Office of the Attorney General regarding any information the TSUS wishes to withhold, and sending a copy of the request for ruling to the requestor; and
- segregating public information from information that may be withheld and providing that public information promptly.

The Act is triggered when a member of the public submits a written request for records or information that already exists - the Act does not require that new information be created. Be aware that personal notes and e-mail in personal accounts or stored on personally-owned devices may be subject to release in the event of an open records request. If information was made, transmitted, maintained, or received in connection with TSUS official business, the fact that the requested information is in possession of or on a device owned by an individual does not take the information outside the scope of the Act. In other words, work-related emails sent from an individual's personal email account could be subject to disclosure.

Each TSUS institution and the System Office has a designated public information coordinator to handle public requests for information. Links to open records information for each component can be found at the open records information section of [TSUS.edu](https://www.tsus.edu). If you receive what appears to be a request for information from the public, you should refer the request to your institutional public information coordinator as soon as possible.

Compliance Hotline

The Texas State University System maintains a reporting hotline through a private contractor, EthicsPoint, to provide a confidential avenue for reporting concerns about potential waste, fraud, and abuse of resources, the lack of compliance with laws and regulations, or violations of the System's Code of Ethics. A detailed description and the opportunity to make a report can be accessed [here](#).

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Please feel free to forward this newsletter to others who may be interested or who may benefit from the information. The goal is to expand readership to offer this ongoing resource to as many members of the TSUS community as possible. New readers can subscribe by using the link below.

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The Texas State University System is committed to complying with all applicable laws, regulations and policies. The System compliance program advises and collaborates with components to develop effective ways to mitigate compliance risks on TSUS campuses. Serving to advance the goals of the System and its institutions, the compliance office offers resources, education, information and guidance while promoting a culture of responsibility and accountability.

Feedback regarding the System compliance program or the Compliance Community newsletter is welcome. Please contact [Kelly Wintemute](#) with suggestions.

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