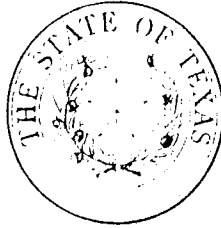


REPRESENTATIVE DAN BRANCH, CHAIR
REPRESENTATIVE DENNIS BONNEN, VICE CHAIR
REPRESENTATIVE MYRA CROWNOVER
REPRESENTATIVE DONNA HOWARD
REPRESENTATIVE ERIC JOHNSON
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JOINT SELECT OVERSIGHT COMMITTEE ON HIGHER EDUCATION GOVERNANCE, EXCELLENCE, AND TRANSPARENCY

March 14, 2013

The Honorable Wm. Eugene Powell
Chairman
The University of Texas System Board of Regents
201 West Seventh Street, Suite 820
Austin, Texas 78701-2981

Dear Chairman Powell:

Under the Texas Public Information Act, Chapter 552 of the Government Code, the Joint Select Oversight Committee on Higher Education Governance, Excellence, and Transparency (the committee) respectfully requests copies of the following:

- 1) Any and all communications or records from, between, or sent at the request of any University of Texas System Board of Regent to any president, vice-president, provost, dean, faculty member, or staff member of any University of Texas System institution from January 1, 2012 to present;
- 2) Any and all open records requests, including the dates of the request and the requestors' names, made by any University of Texas System Board of Regent or Board of Regents or University of Texas System employee to any person employed by any University of Texas System institution from January 1, 2012 to present;
- 3) Any and all communications or records from, between, referencing, or sent at the request of a specific University of Texas System regent or the Board of Regents regarding the employment or termination of employment of any University of Texas System institution employee from January 1, 2012 to present;
- 4) Any and all communications or records by, from, or between members of The University of Texas System Board of Regents or sent at the direction of a regent regarding curriculum taught at any University of Texas System institution from January 1, 2012 to present;
- 5) Any and all communications or records by, from, or between members of The University of Texas System Board of Regents or sent at the direction of a regent regarding faculty tenure or faculty performance from January 1, 2012 to present;
- 6) Any and all communications or records by, from, or between members of The University of Texas System Board of Regents relating to the Council for Advancement and Support of Education, American Association of Universities, the Southern Association of Colleges and Schools, or any other accrediting organization from January 1, 2012 to present;
- 7) Any and all communications or records by, from, or between members of The University of Texas System Board of Regents or sent at the direction of a regent regarding the appointment, or potential appointment, of a candidate to The University of Texas System Board of Regents from January 1, 2012 to present.

The committee seeks any responsive information, communications, or records that relate to the official business of The University of Texas System or The University of Texas System Board of Regents and is maintained by a public official or employee of The University of Texas System, including but not limited to, responsive information from personal email accounts. The committee notes that the characterization of information as "public information" under the Public Information Act is not dependent on whether the requested records are in the possession of an individual or whether a governmental body has a particular policy or procedure that establishes a governmental body's access to the information. *See* Open Records Decision No. 635 at 3-4 (1995). The Office of the Attorney General has found that information in a public official's personal records may be subject to the Act where the public official uses the records to conduct public business. *See* ORD 635 at 6-12.

The committee notes Section 552.008 of the Government Code grants access to requested information, including confidential information, to individual members, agencies, or committees of the Texas Legislature. The committee affirms that the requests listed above are for legislative purposes. Therefore, The University of Texas System must make the requested information available in accordance with Section 552.008. Under Section 552.008(b-2), the committee retains the right to seek an Attorney General decision determining whether release of the information covered by a confidentiality agreement is confidential under law.

Disclosure of the requested information is in the public interest because providing a copy of the information primarily benefits the general public. The committee therefore requests a waiver of all fees and charges pursuant to Section 552.267 of the Government Code.

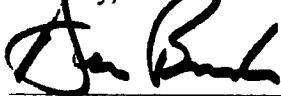
If you have any questions about the nature or scope of this request, please call the committee at the phone numbers listed below. The committee looks forward to hearing from you promptly, as specified in the law. Thank you for your cooperation.

Please provide the information to the committee at:

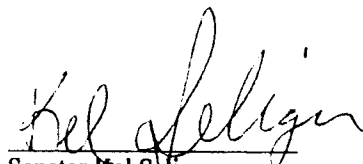
Joint Select Oversight Committee of Higher Education Governance, Excellence, and Transparency
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768-2910
(512) 463-0782
Fax: (512) 322-9935

Joint Select Oversight Committee of Higher Education Governance, Excellence, and Transparency
Texas Senate
P.O. Box 12068
Austin, Texas 78711
(512) 463-4788
Fax: (512) 463-0695

Sincerely,



Representative Dan Branch
Co-Chair



Senator Kel Seliger
Co-Chair

CC: Lieutenant Governor, David Dewhurst
Speaker of the House, Joe Straus
Members of the Joint Select Oversight Committee