

**Public Information Request
Cost Estimate 10 Day Paper Timeline
September 7, 2022**

[REDACTED]
[REDACTED]
Prosper, TX 75078

TEA PIR [REDACTED]

Dear :

On September 1, 2022, the Texas Education Agency (TEA) received your request for public information. Because the cost to fulfill your request will exceed \$100.00, TEA must provide an itemized statement of estimated charges that may be included in your final Invoice Statement.

Please note the following the following responses for your request:

1. Please produce all information reported by PROSPER ISD into the misconduct reporting portal - *Prosper ISD has not reported any misconduct reports via the Misconduct Reporting Portal.*
2. SBEC sanctions and placement on the Registry of Individuals Not Eligible for Employment also referred to as the Do Not Hire Registry for 2018-2022

*The Educator Investigations Do Not Hire Registry and Portal was created and implemented on January 1, 2020. It **does not track** the **ISD** or **Sanction** on the Registry of the individuals **Not Eligible for Employment**. Therefore, to produce the specific information, you are requesting we would have to manually review, search, and locate the file of **every educator** entered in the portal to determine where the **educator was employed** and what the **sanction was for that educator**. Below is the cost Estimate for the research of your request for those employed at Prosper ISD and sanction outcome.*

*The Statement of Cost Estimate for your request is enclosed based on a Total of 2605 educators entered in portal. **Please note that full payment is not due at this time only the deposit amount.***

Less Costly Alternatives and Format

On the enclosed cost estimate, please indicate the method by which you wish to receive the information. TEA must provide you the information in its original format. However, if

TEA has the technology to do so, it will provide you the information in other formats.

There are less expensive ways for you to obtain this information. These charges may be reduced if you narrow or clarify the scope of your request (provide the name of educator(s), reduce data fields, timeline, etc.). Additionally, other alternative options for less costly or no-cost way of accessing the information, such as TEA website or in person inspection, may be described in this letter, if available.

Anticipated date on which your records/data will be released to you is stated on the enclosed statement and it is recalculated from the date the agency receives your payment of the deposit.

Deposit

TEA may require a deposit before beginning to retrieve and prepare the information for you to review or receive. The deposit is required when costs to make the information available exceeds \$100.00, or the information is older than five (5) years old, or the information will fill six (6) archival boxes and more than five hours is estimated to make the information available. This deposit amount will be 50% of the entire estimated amount and will be reflected in the enclosed cost estimate.

Adjustment to Estimated Cost

Occasionally, after starting the work, but before making the information available to you, TEA may find that the actual cost will exceed the initial estimate. In this case, if the cost estimate exceeds more than 20% above the estimated amount, TEA will issue a new cost estimate for your approval. You must respond to the adjusted statement within 10 business days or your request will be considered withdrawn. If the actual cost is below or it exceeds the estimated amount, but by no more than 20%, the cost will be adjusted in the invoice.

Confidential or Exempted Information

If the records or data you are requesting includes student identifying information TEA will withhold this information in compliance with the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Section 1232g. TEA is required to withhold from public disclosure personally identifiable, non-directory information in education records. Additionally, FERPA does not permit state and local educational authorities to disclose to the Office of the Attorney General (OAG) personally identifiable information contained in education records for the purpose of review in the open records ruling process under the Texas Public Information Act. The United States Department of Education has ruled FERPA determinations must be made by the educational authority in possession of the education records. Consequently, it is impermissible for TEA to seek an OAG opinion

concerning the applicability of FERPA to records responsive to a public information request. <https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/20060725-USDept-Education.pdf>

If the records or data you are requesting includes social security numbers of a living person, TEA will withhold this information by removing it from the record before releasing it to you. TEA must protect this information under the Texas Public Information Act and is authorized to do so without requesting a decision from the Texas Attorney General. (Open Records Decision No. 634 (1995); Government Code §552.147)

If there are other types of information TEA wishes to withhold, you will find a form called "Consent to Withhold Information" enclosed with this letter. You may give permission for TEA to withhold certain information without having to request a decision from the Texas Attorney General. If TEA does not have your permission, TEA will request a decision from the Texas Attorney General. The Texas Attorney General will issue a decision within 45 business days. Upon receipt, TEA will follow the decision.

Important 10-day Timeline

So that your request is not automatically withdrawn, you must respond to TEA about the cost estimate within 10 business days from the date this estimate is sent to you.

On the enclosed statement, you must indicate whether:

1. You accept the charges and submit payment of the required deposit amount;
2. You have changed/modified your request and request another estimate;
3. You withdraw your request entirely; or
4. You filed a complaint with the Cost Rules Administrator, Office of the Attorney General; and provided a copy of your complaint to the Public Information Coordination Office, TEA Legal Services [§552.2615 of the Government Code].

Return your Cost Estimate within 10 business days to:

Modified Request or Denied Cost Estimate:

TEA - Public Information Coordinator
1701 North Congress Avenue
Austin, Texas 78701-1494
FAX: (512) 463-1022

Email: PIR@tea.texas.gov

Cost Estimate with Deposit Payment:

TEA – PIR
P.O. Box 13717
Austin, TX 78711-3717

If you have any questions or wish to discuss this matter further, please contact me at (512) 463-3464 or by email at PIR@tea.texas.gov.

Sincerely,

Alejandra Gallegos
Public Information Coordinator

Enclosure: Itemized Cost Estimate Statement

Alejandra Gallegos
Public Information Coordinator
Office of General Counsel

512-463-3464

Alejandra.Gallegos@tea.texas.gov

www.tea.texas.gov

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[Message clipped] [View entire message](#)

Eaton, Jenny

From: [REDACTED]

Sent: [REDACTED]

To: PIR

Subject: Request For Info

To Whom It May Concern,

Please produce all data reported by Prosper ISD into the TEA Division of Education Investigations' Misconduct Reporting Portal between 2018-2022. Include SBEC sanctions and records of certified and non-certified employees placed on Registry of Individuals Not Eligible for Employment, also known as the Do Not Hire Registry, and the reason for such placement.

Respectfully,

[REDACTED]

[REDACTED]

**Public Information Request
No Documents Found
January [REDACTED] 2023**

[REDACTED]

TEA PIR # [REDACTED]

Dear [REDACTED]

On January [REDACTED], 2023, the Texas Education Agency (TEA) received your request for public information. A copy of your request is enclosed.

TEA has conducted a good faith search for any and all information related to your request and has not been able to locate information that may be responsive to your request. Therefore, this request is considered closed.

The Misconduct Reporting Portal was active starting March 12, 2020, and a review of the information available indicates Prosper ISD has not used the portal to submit misconduct reports.

If you have any questions or wish to discuss this matter further, please contact me at (512) 463-3464 or by email at PIR@tea.texas.gov.

Sincerely,

Jenny Eaton
Public Information Coordinator

Enclosure: Original Request

External Message - Please be cautious when opening links or attachments in this email