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OPINION

THE DAILY TEXAN

Editor-in-Chief: JJ Hermes
Phone: (512) 232-2212
E-mail: editor@dailytexanonline.com
Associate Editors:
Andrew Egan
Adrienne Lee
Justin Ward

VIEWPOINT

Keep brightening the sunshine

Open records requests are like loaning a game of Scrabble to an 11-year-old: You can get a good feel for how many pieces will be missing based on how many days late it comes back.

On Jan. 5, the Texan submitted an open records request for all of President William Powers' 2006 agendas, with the goal in mind to understand how busy UT's chief executive kept himself over the first year of his term, and to get a better grasp of who he meets with regularly. Texas Open Records Law says UT has 10 business days to produce a response — with the closures from ice days, Jan. 24 became the due date.

We finally got the documents on Jan. 26. The mild delay is understandable, and might have been caused by the fact that nearly 40 meetings from July 10 through Dec. 24 were redacted (agendas before July were apparently lost "due to a technical problem").

Redaction (a fancy word for omission) is the lifeblood of secrecy, and there are plenty of legitimate reasons for it: The text could identify individual students, it could affect ongoing litigation, it could publicize anonymous donors.

Many of those redactions probably identified students, whose information cannot be released under the Family Educational Rights and Privacy Act. Surely some of those meetings were with "student leaders," such as Student Government President Danielle Rugoff, who would never object to advertising the number of one-on-one meetings SG had with President Powers.

But there's no real way to certify that all of the redactions are legitimate. In fact, we can tell that not all redactions followed this rubric: On Oct. 19, we see in plain sight the name of government senior and former Daily Texan editor A.J. Bauer. Just two days prior, on Oct. 17, we see that President Powers made a trip to Houston and met for two hours with someone whose name is withheld — in all likelihood a potential donor, but surely not a student.

It must be slightly off-putting to have your daily schedule exposed, and it's inspiring that we live in a country and state that guarantee open access to (most of) such information. And from analysis of the agendas, it's easy to tell that President Powers really meets his ass off.

The day before the first day of class last fall, Aug. 29, President Powers started his day with a call to Texas A&M's president Bob Gates (who is now the U.S. Secretary of Defense) at an ungodly 7 a.m. Powers was then on campus for more than 14 hours, until the Gone to Texas ceremony concluded at 9:30 p.m.

The President's Student Advisory Committee filled many a slot on the president's calendar. And from the student organizations that were not FERPA'd out of history, we can tell he had scheduled an

hour-long meeting with the Queer Students Alliance on Dec. 20.

But it's hard not to be disgruntled by random redactions, or if the attorney general would deem "Lunch with [*]" a reasonable withholding of public information.

Two days late may earn a paper a B-, but it's not the longest open records request that the Texan has waited on. That honor befalls the athletics department, which pigeonholed requested e-mails for more than a month.

On March 26, 2006, the Texan requested any administrative correspondence regarding grade changes for student-athletes. We had no leads but were curious if any requests had been made. (The New York Times broke a story last December that an Auburn student-athlete's grade was changed without advise of the professor, raising the scholarship athlete's GPA above 2.0, which is the cutoff for NCAA eligibility.)

After a month and a half without documents, we complained to the attorney general's office on April 24. The request was finally fulfilled on May 2, 2006, 26 business days late.

Four e-mails were released, heavily redacted. For example, this is part of an Oct. 12, 2005, e-mail from one athletic academic advisor to a professor, whose name was redacted:

"I wanted to touch base on [*], specifically the incomplete grade from last spring. I know that [*] has spoken to you about turn-around this summer and vast improvement in [*] GPA ([*] now at a 2.125). ... When we originally talked about [*] situation at the end of the spring semester, you wanted to see how [*] did this summer. If you feel a passing grade is in order, I would be glad to walk you through the necessary paperwork ... I'm not pushing, but our compliance office has asked several times about [*] status. [*] and [*] coaches agreed that [*] would 'red-shirt' this season so the hours were not important for playing, but [*] does need to be certified eligible for a number of other bureaucratic reasons."

Was that professor's name — who we can infer from later e-mails that they actually changed the student's grade to a passing grade "to ensure that [*] suffers no disruption of [*] eligibility" — legitimately withheld? In the Auburn case last December, the professor who supervised the student's directed-readings classes was named, and the student was properly not.

We find ourselves in an era of sincere public transparency at the University and across much of the state, but there's a lot still lacking. The sunshine is well over the horizon, but we're far from high noon.

— JJ Hermes