



CENTRAL PHILIPPINES STATE UNIVERSITY

## **FREEDOM OF INFORMATION (FOI) MANUAL**

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## INTRODUCTION

This Manual is prepared in compliance with Executive Order No. 2 dated July 23, 2016(\*), entitled "Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies of Full Disclosure and Transparency in the Public Service and Providing Guidelines Therefor."

It is intended as guide (1) to the public for the request and grant of information from Central Philippines State University on matters of public concern and (2) to the institution on the proper disposition of such requests.

## DEFINITION OF TERMS

(a) "Exception" shall mean exceptions enshrined in the Constitution, existing law or jurisprudence and are those included on the Inventory of Exceptions to Executive Order No. 2 (2.2016)

(b) "Information" shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

(c) "Official record/records" shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.

(d) "Proof of Identification" shall refer to valid proof of identity, including Social Security System (SSS)/ Government Service Insurance System(GSIS) Unified Multi-Purpose Identification (UMID) Card, Land Transportation Office (LTO) Driver's

License, Professional Regulatory Commission (PRC) ID, Commission on Elections (COMELEC) Voter's ID or Voter's Registration Record from COMELEC Head or Regional Office, Current Valid.

(e) "Public record/records" shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

(f) "Receiving Officer" shall refer to the person in authority designated by the institution to receive requests for information, which in this Manual refers to the Records Officer of the university.

## CONTACT INFORMATION

All requests for information directed to CPSU or its campuses, whether in hard copy, electronic or oral communication, must be directed to:

Records Office

CENTRAL PHILIPPINES STATE UNIVERSITY

Kabankalan City, Negros Occidental

Phone: (034) 702-9903 or 09173015565

E-mail: [cpsu\\_main@cpsu.edu.ph](mailto:cpsu_main@cpsu.edu.ph) or [nsca\\_kabcity@yahoo.com.ph](mailto:nsca_kabcity@yahoo.com.ph)

## PROCEDURE

The following sets out the procedure for the filing and processing of requests for information, public records and official records, provided that such data are not listed under the exceptions circularized by the Office of the President of the Philippines (See Appendices).

### Hard Copy Requests

(1) Any agency or person who requests access to information must fill up a request form available at the Records Office and the website of CPSU at [www.cpsu.edu.ph](http://www.cpsu.edu.ph), see Downloadable Forms.

(1.1) In case the requesting party is unable to fill up the form due to disability or illiteracy, the person may ask the FOI Receiving Officer (FOI RO), who shall accomplish the form on the requester's behalf.

(2) The person/agency making the request will then receive notification whether the request is granted or denied within 15 working days, unless the information requested requires (a) extensive search of the government office's records facilities, and/or (b) examination of voluminous records, or fortuitous events

intervened, in which cases the notification period will be extended for not more than twenty five (25) days.

(3) In case the request is granted, the person may be directed to pay photocopying or reproduction fees before being released the document.

(4) In case the request is denied, the requesting party may appeal the decision following the procedure on Appeals below.

### **Online Requests**

For requests filed online, the requesting party should provide valid proof of identification by sending (a) scanned cop(ies) of valid personal identification, and/or (b) communication authorizing the person to make the transaction on behalf of a certain institution/office/agency and (c) an accomplished request form available for downloading at [www.cpsu.edu.ph](http://www.cpsu.edu.ph). The form may be filled up electronically or in handwriting.

The requesting party will likewise receive notification of the receipt of request via e-mail and will receive confirmation regarding the denial or access to the requested information in the same manner.

### **PROCESS FLOW**

The process for the disposition of requests is as follows:

(a) The FOI Receiving Officer will receive the request whether in hard copy, email or oral form in accordance with the prescription stated above;

(b) The request shall be stamped by the FOI RO, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party;

(c) The copy furnished to the requesting party shall bear the date when he shall receive notification of denial or access to the information requested;

(d) The request must be recorded in a log book together with the date upon which a response is due.

(e) The FOI RO shall inform the requesting party whether his request is denied or accepted as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof, provided the request is fully compliant with the specified requirements;

(e.1) The period to respond may be extended in case the information requested requires extensive search of the government office's records facilities, and/or examination of voluminous records, and/or the occurrence of fortuitous cases or other analogous cases intervened

(e.2) The government office shall notify the person making the request of the extension, setting forth the reasons for such extension,

(e.3) In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period;

(f) The FOI RO shall also direct the person making the request to pay any applicable fees;

(g) Upon payment of the fees, the FOI RO shall then process the request by:

(g.1) reproducing the documents requested if available on hand, or

(g.2) asking the concerned office for a copy of the information needed. The request must be stamped by each receiving office in order to trace the status of all requests for timely delivery of the data;

(h) In case the request is denied, the FOI RO must clearly state in the notice of denial the ground(s) for denial and the circumstances on which the denial is based;

(i) In case of appeal, the Appeals procedure set below shall be followed.

### **EXCEPTIONS**

While the law allows public access to official records, public records and to documents and papers pertaining to official acts, transactions or decisions, as well as to government research data in order to enhance transparency and accountability in government official acts, transactions, or decisions it also provides exceptions as listed in the Inventory of Exceptions to Executive Order No. 2 (s. 2016).

Regarding exceptions,

- (1) The Head of Office of CPSU (President) shall determine with reasonable diligence what documents should be listed as excepted;
- (2) In the case of the absence of the President, an FOI Designated Officer must be designated in writing to assume the function;
- (3) The exemption must not serve primarily and purposely to cover up a crime, wrongdoing, graft or corruption.

### **DENIAL**

- (1) Denial or refusal to accept a request for information should be done as provided by the law, and existing rules and regulations, including exceptions covered by the Inventory of Exceptions to Executive Order No. 2 (2.2016)
- (2) The notice of denial must clearly set forth the ground(s) for denial and the circumstances on which the denial is based.
- (3) Failure to notify the requesting party of the action taken on the request within the period herein stipulated shall be deemed a denial of the request for access to information.

## **APPEAL**

Should the requesting party deem that the denial for access to information made by the FOI RO was unlawful, the following procedure should apply:

- (1) the party whose request was denied may appeal to the University President within fifteen (15) working days from the notice of denial,
- (2) the appeal must be filed using an Appeal Form, which should state point by point the reasons why the denial is unwarranted,
- (3) The President will have to decide on the appeal within thirty (30) working days from the filing of said written appeal,
- (4) Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal,
- (5) No identical appeal or substantially similar requests will be entertained by the FOI RO from the same requesting party once the same request has already been previously granted or denied.
- (6) Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.

## **FEES**

The requesting party is not required to pay any fee when requesting access to information. However, in case the request is granted, the institution may charge reasonable costs for the photocopy or reproduction of the information requested.

## **ADMINISTRATIVE LIABILITY**

As provided by Executive Order No. 2, failure to comply with the provisions of the Order as specified in this Manual may be a ground for administrative and

disciplinary sanctions against persons with authority for implementing the guidelines set herein.

## APPENDICES

### Appendix A. Request Form

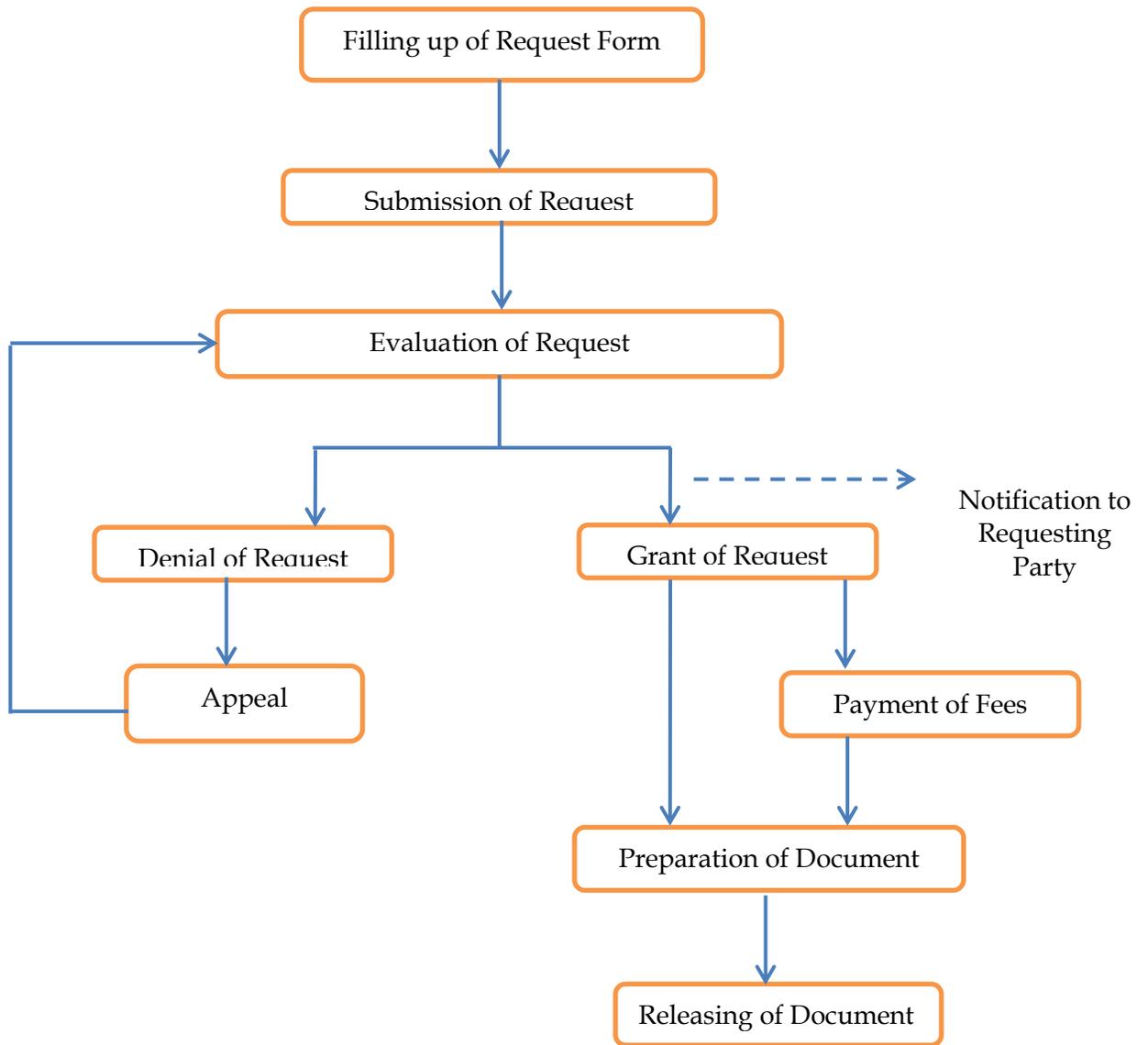
	Republic of the Philippines CENTRAL PHILIPPINES STATE UNIVERSITY Kabankalan City, Negros Occidental	
	Reference No. _____	
	Date: _____	
<b>INFORMATION REQUEST FORM</b>		
Form No. _____, Updated		
Requesting Person/Agency: _____		
Address: _____		
Identification/Proof of Authority: _____		
Phone: _____	Mobile: _____	E-mail: _____
Information Requested		No. of copies
<b>Reason for Request:</b>		
Preferred Mode of Delivery: <input type="checkbox"/> Pick up/Personal <input type="checkbox"/> Mail: <input type="checkbox"/> E-mail		
<i>This is to acknowledge receipt of the aforementioned request for information.</i>		
xxxxxx Designation		
Action taken: <input type="checkbox"/> Grant <input type="checkbox"/> Deny		Date: _____
<b>Reason (in case of denial):</b>		
<i>Accomplish this form in duplicate.</i>		

## Appendix B. Appeal Form

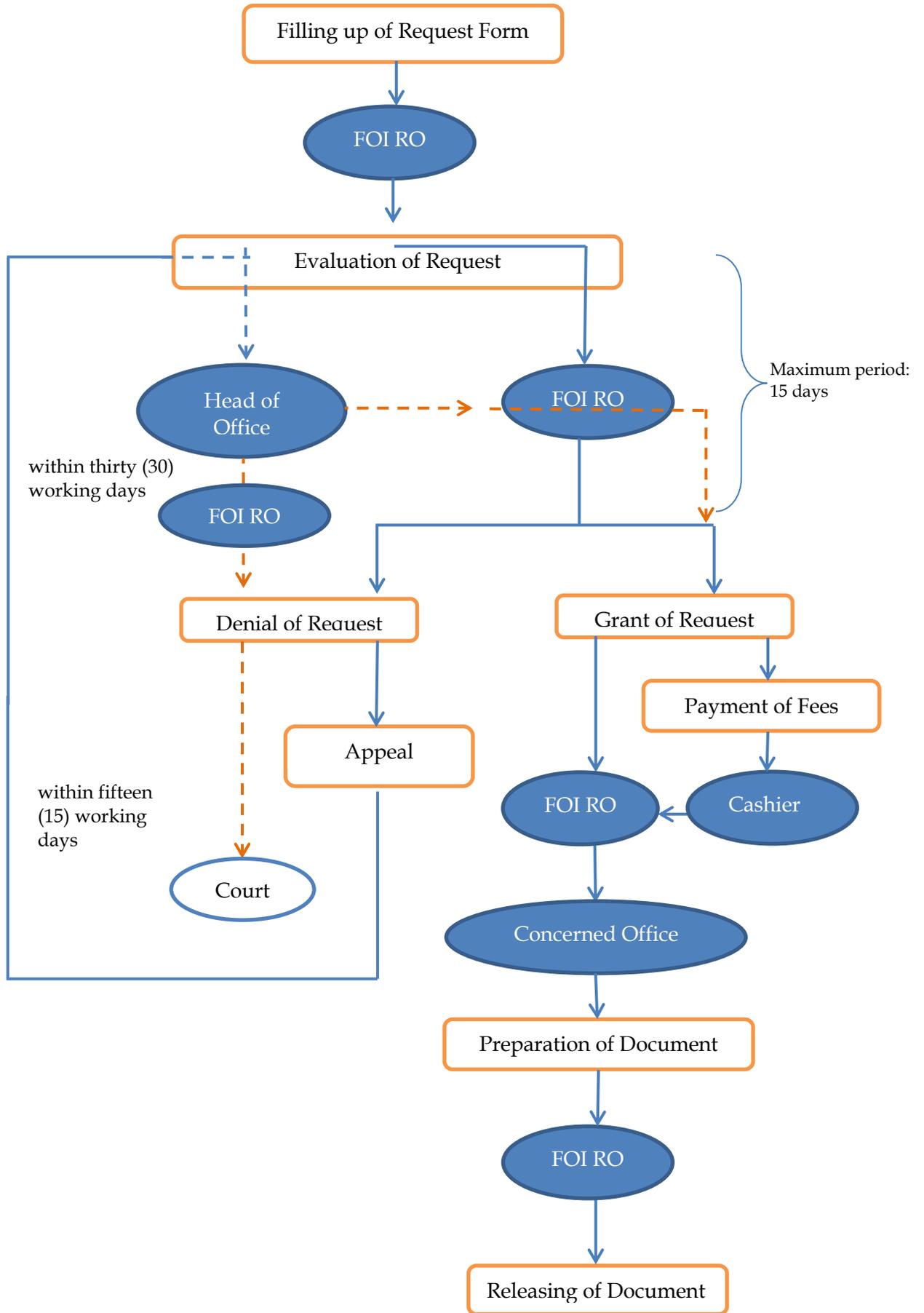
	Republic of the Philippines CENTRAL PHILIPPINES STATE UNIVERSITY Kabankalan City, Negros Occidental
Reference No. _____	
Date: _____	
<b>FOI APPEAL FORM</b>	
Form No. ____, Updated	
Appealing Person/Agency: _____	
Address: _____	
Identification/Proof of Authority: _____	
Phone: _____	Mobile: _____ E-mail: _____
Date of Rejection of Request	
Information Requested	
<b>Reason for Appeal:</b>	
Preferred Mode of Delivery: <input type="checkbox"/> Pick up/Personal <input type="checkbox"/> Mail: <input type="checkbox"/> E-mail	
<i>This is to acknowledge receipt of the appeal against an earlier request for information.</i>	
Name FOI Receiving Officer	
<i>This is to acknowledge receipt of the appeal.</i>	
Name President/FOI Designated Officer	
Action taken: <input type="checkbox"/> Grant <input type="checkbox"/> Deny Date: _____	
<b>Comment:</b>	

*Accomplish this form in duplicate.*

Appendix C. Flow chart of the procedure in filing requests for information



Appendix D. Process flow of the disposition of requests for public information



Appendix E. Inventory of Exceptions to Executive Order No. 2 (s. 2016)