



**SOUTHERN LUZON STATE
UNIVERSITY**

FREEDOM OF INFORMATION
MANUAL

PREFACE

The SLSU Freedom of Information (FOI) Manual is designed in compliance with the Executive Order No. 2, series of 2016, by the President of the Republic of the Philippines, which mandates public disclosure of documents and seeks to effectuate the right of the people to information on matters of public concern.

Moreover, the manual aims to guide and assist the public in the procedures involved in requests of information. It also includes set of rules and guidelines to be followed by the officials and employees of the offices under the University with regards the requests for access of information.

Besides that the public is spared with tedious works of trying to access certain pieces of information, the production of the SLSU FOI Manual shall be one of the initiatives of the University to pursue greater transparency, accountability and citizen participation in governance. May these efforts further empower the University stakeholders and clientele and aid SLSU in being a more responsive institution.


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OVERVIEW

The 1987 Constitution, specifically Article II, Section 28 provides that the State shall adopt a policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law. Similarly, Article III, Section 17 of the Constitution, guarantees the right of the people to information on matters of public concern.

In recognition of the need to implement these Constitutional provisions, President Rodrigo R. Duterte signed Executive Order (EO) 2 entitled "*Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service*" on July 23, 2016. The EO mandates all executive offices, including but not limited to the national government and all its offices, departments, bureaus, offices, and instrumentalities, including Government-Owned or Controlled Corporations (GOCCs), and State Universities and Colleges to prepare their respective People's Freedom of Information (FOI) Manuals.

Hence, the Southern Luzon State University, in compliance with the said directive, hereby adopts this SLSU/FOI Manual.

PURPOSE

The main objective of this FOI Manual is to provide the process which shall guide the public in requesting information from the University and to assist the colleges, campuses, units and offices in dealing with requests of information pursuant to Executive Order No. 02.

OBJECTIVES

This Manual shall set the rules and regulations to be followed by all colleges, campuses, units and offices of the University whenever there is a request for information. The University President is responsible for all actions carried out under this Manual and may delegate this responsibility to the Vice Presidents, Deans, Directors, or Heads of Offices.

1 *Annex A: "Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies of Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Thereof"*

2 Sections 8 & 16, *ibid.*

3 *Annex B: FOI-MC No. 01 s. 2016, Presidential Communications Operations Office*

4 *Annex C, Inventory of Exceptions to EO No.2, s. 2016; Office of the President; 24 November 2016.*

COVERAGE

This Manual shall cover all requests for information directed to all colleges, campuses, units and offices of the University.

PROTECTION OF PRIVACY

While providing for access to information, the SLSU shall afford full protection to a person's right to privacy, as follows:

- a. The SLSU shall ensure that personal information particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
- b. The SLSU shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure; and
- c. The FRO, FRM, any employees or any official who has access, whether authorized or unauthorized, to person information in the custody of the SLSU and its campuses, shall not disclose that information except as authorized by existing laws.

DEFINITION OF TERMS

For common understanding and clarity, the following terms used in this manual are hereby defined:

Administrative FOI Appeal. An independent review of the initial determination made in response to an FOI request in accordance with the procedures established herein

Appeals and Review Committee. Shall refer to an appeal and review committee composed of the two (2) remaining Vice Presidents, not acting as Decision Maker.

Appellate Authority (AA). He/she shall refer to the University President who will take final action on matters brought on appeal.

Consultation. Process of asking the view of other agency as to the disclosability of the records which are found to contain information of interest to such other government agency.

Confidential Records – records containing classified information and need not be disclosed without due approval from authority.

data.gov.ph. The Open Data website that serves as the government's comprehensive portal for all public government data which is searchable, understandable, and accessible.

eFOI gov.ph. The website that serves as the government's comprehensive FOI website for all information on the FOI. Among many other features, eFOI.gov.ph provides a central resource for the public to understand the FOI, to locate records that are already available online, and to learn how to make a request for information that is not yet publicly available. EFOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI Reports, so that they can be compared by agency and over time.

Exceptions. Information that should not be released and disclosed in response to an FOI request because it is protected by the Constitution, laws or jurisprudence.

Evaluating Officer (EO). He/she shall refer to the Deans, Directors and Heads of Units that has custody over the information or record being requested.

Freedom of Information (FOI). Constitutionally guaranteed right of the people to information in matters of public concern which is indispensable to the exercise of the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.

FOI Decision Maker (FDM). He/she shall refer to the concerned Vice President, Campus Director, and Head of Unit under the Office of the President and who, under this manual, is authorized to grant or deny the request.

FOI Receiving Officer (FRO). He/she shall be the responsible employee designated as the FOI Focal Person tasked to receive and monitor all FOI requests and appeals.

FOI Request. A written request for access to records submitted to SLSU personally or by email.

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, recorded, stored, or archived in whatever format, whether offline or online, which are made, received or kept 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 transactions of official business by any government office.

Information for Disclosure. Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public, government agencies, and the community and economy. It also includes information encouraging familiarity with the general operations, thrusts, and programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted to government websites, such without need for written requests from the public.

Official records. Refers 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.

Open Data. Refers to publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.

Public Records. This shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

Proactive Disclosure. Information made publicly available by government agencies without waiting for specific FOI request.

Personal Information. Any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.

Sensitive Personal Information. As defined in the Data Privacy Act of 2012, this shall refer to personal information:

1. About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
2. About an individual health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
3. Issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and
4. Specifically established by an executive order or an act of Congress to be kept classified.

STANDARD PROCEDURE

The procedure for access to information/record covers the filing of request for information, receipt and evaluation, and approval/denial of the request.

1. Receipt of Request for Information

- 1.1. All requests for information shall be made using the prescribed FOI Request Form (See Annex E). In case the requesting party is unable to make a written request, because of illiteracy or due to a disability, he or she may make an oral request, and the FRO shall record it in writing which shall be signed or otherwise thumb marked by the requesting party. The FOI Request Form is available at the Record Management Office or it can be downloaded at www.slsu.edu.ph.
- 1.2 The accomplished FOI Request Form shall be submitted to the Records Management Office, 2nd Floor Administration Building, SLSU, Lucban, Quezon or email at (info@slsu.edu.ph).
- 1.3 The FRO shall receive the request for information from the requesting Party and check compliance of the following requirements:
 - The request shall state the full name and contact information of the requesting party, as well as provide valid proof of identification or authorization; and
 - She/he request shall reasonably describe the information requested, and the reason for, or purpose of the request for information.
 - In case of e-mail request, the FRO shall print the Request Form and acknowledge the same.
- 1.4 In case the request is not in conformity with the requirements, the FRO shall provide reasonable assistance to enable the requesting party to comply with such.
- 1.5 The request shall be stamped "received" by the FRO indicating the date and time of receipt, his/ her name, rank and title, with corresponding signature. The FRO shall input the details of the request on the

5 Annex "D", Flow Chart
6 Annex "E", SLSU FOI Form 1

Document Routing System (DRS)-See Annex and allocate a reference number therein. The Request Form shall be attached in the DRS. Same details shall be recorded in a logbook for monitoring purposes.

- 1.6 The FRO shall initially evaluate the information being requested, identify the responsible unit where the data or information being requested maybe found, and thereby immediately transmit the request to said college, campus or unit/office within twenty-four hours.

The University shall respond to any FOI request within fifteen (15) working Days following the date of receipt of the request. A working day is any other than a Saturday, Sunday or a day which is declared a national or local public holiday in the Philippines.

The computation of the period shall be guided by the provision of Article 13 of the Civil Code of the Philippines which provides that *"in computing a period, the first day shall be excluded and the last day included."*

The date of receipt of the request will either be:

- a. The day on which the request is physically or electronically delivered to the government office, or directly into the official email inbox of the Office of the President; and/ or Records Management Office
- b. If the University has asked the requesting party for further details to identify and locate, then the 15 working days will commence the day after it receives the required clarification from the requesting party.

An exception to this will be where the request has been emailed to an absent member of staff, and this has generated an "out of office" message with instructions on how to re-direct the message to another contract. Where this is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

Should the requested information need further details to identify or locate,

2 Initial Evaluation

Upon receipt of the request for information, the EO shall perform all necessary steps to locate and retrieve the information requested. He shall ensure that the information requested is complete before making a transmittal to the DM.

2.1. Determination of access to requested information