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ATTORNEY GENERAL**

March 16, 1977

The Honorable John C. Ross, Jr.
City Attorney
Room 303, City-County Building
El Paso, Texas 79901

Open Records Decision No. 154

Re: Applicability of
Open Records Act to civil
service examination scores.

Dear Mr. Ross:

You have requested our decision on whether lists of names and scores of examinees on Civil Service original entrance and promotional examinations are excepted from required public disclosure under the Open Records Act, article 6252-17a, V.T.C.S., by section 3(a)(2). That section excepts from disclosure information in personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

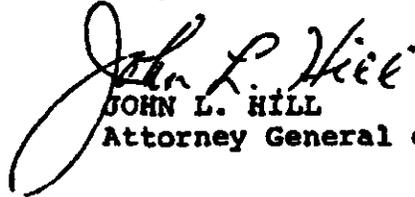
The Firemen's and Policemen's Civil Service Act, article 1269m, section 13, V.T.C.S., requires the posting of examination scores such as those at issue here. Although the City of El Paso does not operate under this Act, we believe its requirement of disclosure makes clear that such scores are not the type of information excepted by section 3(a)(2) of the Open Records Act as a clearly unwarranted invasion of personal privacy.

While the applicability of section 3(a)(2) was not at issue, in Attorney General Opinions H-483 (1974) and H-242 (1974), we dealt with the question of disclosure of examination scores of students at specific schools of the healing arts and licensees of the Board of Vocational Nurse Examiners, respectively. In each case we decided that the scores were public information.

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Therefore, it is our decision that lists of civil service examination scores are not excepted from required public disclosure by section 3(a)(2) of the Open Records Act.

Very truly yours,



JOHN L. HILL
Attorney General of Texas

APPROVED:



DAVID M. KENDALL, First Assistant



C. ROBERT HEATH, Chairman
Opinion Committee

jwb