



# The Attorney General of Texas

March 29, 1979

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Mr. Stanley D. Baskin, Attorney  
Pasadena Independent School District  
First Pasadena State Bank Bldg.  
P. O. Box 72  
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Open Records Decision No. 221

Re: Whether records of official  
action and policies of school board  
are public under Open Records Act.

Dear Mr. Baskin:

You have requested a decision of this office as to the applicability of the exception in section 3(a)(3) of article 6252-17a, V.T.C.S., to information requested by two representatives of the Houston Independent School District. The records requested are the board minutes of the district from 1950 until the present.

You contend that these official records of the school district are excepted from required public disclosure under section 3(a)(3) of the Open Records Act, which exception applies to certain information relating to litigation in which a governmental body is, or may be, involved.

It is clear that official records of the public proceedings of a governmental body are among the most open of records, and this office has specifically held minutes of a school board to be public under the Open Records Act. Open Records Decision Nos. 91 (1975); 60 (1974). See Texas Open Records Act, V.T.C.S. art. 6252-17a, §§ 6(4), (10), (13); Texas Open Meetings Act, V.T.C.S. art. 6252-17, § 2(1). Even if the district were involved in some specific litigation, you have shown no fact or law which would establish the applicability of the section 3(a)(3) exception. We doubt that the section 3(a)(3) exception could ever be applied to except these records. See Open Records Decision No. 146 (1976), where a similar contention was rejected as to the public availability of election returns and campaign expenditure reports. See also Open Records Decision No. 139 (1976) (EEOC complaints public, not excepted under 3(a)(3) as against contention that disclosure would provide a "blueprint for litigation.").

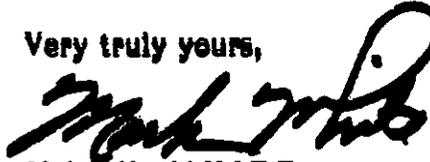
Finally, there is no support in fact or law for the claim that the request made to the Pasadena Independent School District was not made by a "person" within the meaning of sections 1 and 4 of the Act. As we have indicated, the request was made by two representatives of the Houston

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Independent School District. We do not believe that the availability of public information to any member of the public is affected by the fact that the requestor is acting in a representative rather than an individual capacity.

It is our decision that the information requested is not excepted from required public disclosure under the section 3(a)(3) exception.

Very truly yours,



MARK WHITE  
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APPROVED:  
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