



# The Attorney General of Texas

December 31, 1982

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Attorney General

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Mr. Lowell F. Denton  
City Attorney  
P. O. Box 9960  
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Open Records Decision No. 353

Re: Copy of examination questions used by city in listing applications for electricians' licenses

Dear Mr. Denton:

You have requested our decision under the Open Records Act, article 6252-17a, V.T.C.S., as to the availability of a copy of examination questions used by the city of College Station in testing an applicant for an electrician's license.

Ordinance No. 1123 of the city of College Station requires a person "desiring to qualify for a 'master electrician's license'" to take and pass a particular examination described in the ordinance. I will presume for purposes of this opinion that the city of College Station, as a home-rule city, is legally empowered to impose the examination requirement. You state that an unsuccessful applicant requested a copy of the examination, the grader's work papers, and evidence of her grade. You also state that no "record" of the grade exists other than the test paper itself.

This office has previously said that the authority to conduct an examination "necessarily includes the authority to maintain the confidentiality of the questions used to test the knowledge of the person examined." Open Records Decision No. 118 (1976); Attorney General Opinion H-242 (1974). In addition, it has been held that where an examiner's "policy is to reuse examination questions, knowledge of a past examination's questions would compromise the effectiveness of future examinations, the agency may maintain the confidentiality of past examination questions." Open Records Decision No. 118; Attorney General Opinion H-483 (1974). Thus, if the city may reuse examination questions on the city's examination for master electrician, the city may withhold them from public disclosure. By the same reasoning, if the grader's work papers would reveal the contents of the examination, and the questions are reused, the city may withhold those work papers.

The city should, however, easily be able to advise the applicant of her grade. Although a governmental body is not required

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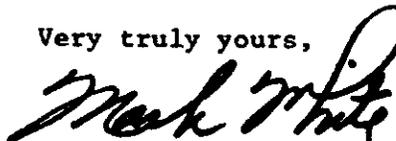
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"compile or extract... information if it can be made available" by giving a requestor access to the records themselves, Open Records Decision Nos. 243 (1980); 127 (1976), the city in this instance has opted not to disclose the contents of the examination. As a result, and since "extraction" in this case would require little effort, we conclude that the city of College Station must advise the applicant of her grade on the examination.

Very truly yours,



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