



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

August 13, 1990

Dr. Pablo Perez
Superintendent
McAllen I.S.D.
2000 N. 23rd
McAllen, Texas 78501

Open Records Decision No. 566

Re: Whether a teacher's lesson plans are excepted from disclosure under the Open Records Act, article 6252-17a, V.T.C.S. (RQ-1985)

Dear Mr. Perez:

The McAllen Independent School District received a request for the weekly, six-weeks, and semester lesson plans prepared by a teacher at a district high school for a freshman English class, as well as for "time on task" documents and second semester curriculum requirements. It is seeking clarification from the requestor concerning the request for "time on task" information and has released a document entitled "Scope and Sequence-English Honors I" in response to the request for second semester curriculum requirements. The district seeks, however, to withhold the teacher's lesson plans from required public disclosure under section 3(a)(22) of the Open Records Act.

Section 3(a)(22) of the Open Records Act excepts from disclosure

curriculum objectives and test items developed by educational institutions that are funded wholly or in part by state revenue and test items developed by licensing agencies or governmental bodies.

You claim the information requested comprises curriculum objectives. You state that "[l]esson plans are the teacher's semester, weekly and daily detailed outline of the manner by which the curriculum objectives are presented to the students. From the material presented in accordance with the lesson plans, the teacher develops the test items utilized in the examination of students."

The documents you seek to withhold consist of weekly lesson plans describing each day's activities under the

heading "Methods, Activities, Materials and Evaluation." "Objectives" are noted at the top of the plan.

Whether the information in question here is excepted from disclosure under section 3(a)(22) depends on the meaning of the term "curriculum objectives," which is not defined in the Open Records Act. See Open Records Decision No. 537 (1990) (advanced placement exam excepted by section 3(a)(22)).

Words not defined in a statute may be understood in their ordinary meaning. See In re Estate of Furr, 553 S.W.2d 676 (Tex. Civ. App. - Amarillo 1977, writ ref'd n.r.e.); Gov't Code § 312.002. "Curriculum" is defined as "a specified fixed course of study, as in a school or college." "Objective" is defined as "that toward which effort is directed; an aim or end of action; a goal." Webster's Second International Unabridged Dictionary (G.M. Merriam, 1957). Thus, a "curriculum objective" can generally be described as a goal or end result of a course of study -- a specified kind of learning or achievement by a student.

The term "curriculum objectives" acquires more specificity when read in its context in section 3(a)(22). A single provision allows "curriculum objectives and test items," to be withheld from the public, indicating that the same interest applies to both items -- protecting the process by which a student's learning or knowledge is evaluated. Curriculum objectives that describe in detail what a student should know at various points in a course of study could indicate a great deal about the subject matter of evaluative instruments such as essays or examinations, and might reveal potential test items.

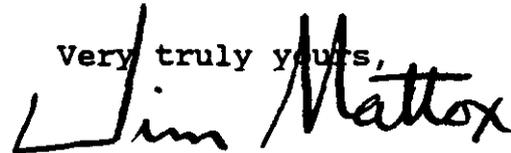
Thus, we believe that "curriculum objectives" in section 3(a)(22) refers to descriptions of educational goals that are so detailed that release of them would impair the evaluation and testing process. It does not include such broadly written objectives as "to develop a love for learning," "to develop competent writers," or "to improve writing skills." See American Educator's Encyclopedia (Greenwood Press 1982) (definition of "Objectives"). Nor does this term include a schedule of what a class will do each day, such as "Read Act I of Julius Caesar," or "work on research project." This term could, however, include a teacher's description of the various points that should be covered in a student essay, and what the teacher will look for in assigning grades.

When we examine the teacher's lesson plans that you submitted, we find that none of the information given under "Methods, Activities, Materials and Evaluation" is protected from disclosure by section 3(a)(22) of the Open Records Act. Nor do we find that any information given under "Objectives" is detailed enough that releasing it could impair the integrity of the testing and evaluation process. Accordingly, the lesson plans are available in their entirety. The lesson plans you submitted relate to the early part of this year; accordingly, they raise no issue of active use. See V.T.C.S. art. 6252-17a, § 4.

S U M M A R Y

The term "curriculum objectives" in section 3(a)(22) of article 6252-17a, V.T.C.S., refers to descriptions of educational goals that are so detailed that the release of them would impair the evaluation and testing process. Section 3(a)(22) does not apply to a teacher's lesson plan that consists of a brief description of each day's work and broadly written "objectives" that do not reveal test items or comparable information.

Very truly yours,



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