



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

May 10, 1989

146

Ms. Michelle Willhelm
Deputy Superintendent
Alief Independent School District
P. O. Box 68
Alief, Texas 77411

Dear Ms. Willhelm:

You ask whether the Alief Independent School District must release copies of teachers' college transcripts. You suggest that section 3(a)(1) of the Open Records Act protects them.

This office has issued several previous determinations on the public availability of professional public school employees' college transcripts. See, e.g., Open Records Decision Nos. 467 (1987) (college transcripts of teachers in McAllen Independent School District are public); 284 (1981) (college transcripts and teacher certificates in Richardson Independent School District are public); Informal Open Records Decision No. OR88-080 (1988) (college transcripts of teachers and administrators in the Salado Independent School District are public). Additionally, in Klein Indep. School Dist. v. Mattox, 830 F.2d 576 (5th Cir. 1987), cert. denied, 108 S.Ct. 1473 (1988), the Fifth Circuit upheld an informal open records decision that college transcripts of teachers in the Klein Independent School District are public.

These previous determinations are not affected by the Texas Supreme Court's decision in Texas State Employees Union v. Texas Dep't of Mental Health and Mental Retardation, 746 S.W.2d 203 (Tex. 1987). The decision in Texas State Employees Union is not applicable to the disclosure of the qualifications of professional public school employees to teach, i.e., courses taken, grades received, and general academic performance. Disclosing the job qualifications that a public employee has submitted to a public employer is not the equivalent of asking public employees the intrusive type of questions at issue in the Texas State Employees Union case, i.e., whether their parents use drugs or whether they beat their children.

Ms. Michelle Willhelm
May 10, 1989
Page 2

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR89-146.

Ours very truly
Open Government Section
of the Opinion Committee

Open Government Section
Prepared by Jennifer S. Riggs
Chief, Open Government Section
of the Opinion Committee

JSR/bc

Ref.: ID# 6257