



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

January 8, 1990

Ms. Merri Schneider-Vogel
Bracewell & Patterson
2900 South Tower Pennzoil Place
Houston, Texas 77002-2781

Dear Ms. Schneider-Vogel:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 8358; this decision is OR90-004.

The Huffman Independent School District (HISD) received two open records requests: one for a letter written to the HISD school board president from the district's superintendent and one for a specific intra-office memorandum from the district's instructional coordinator to the superintendent. You contend that these documents are protected from required public disclosure by sections 3(a)(3) and 3(a)(11) of the Open Records Act. We have considered the exceptions you claimed and reviewed the documents at issue. Your request for an open records decision with regard to section 3(a)(3) falls within a previous determination of this office, Open Records Decision No. 331 (1982), a copy of which is enclosed; section 3(a)(3) does not apply in this instance.

With regard to section 3(a)(11), only the third paragraph of the April 19, 1989, letter to the school board president would fall within the scope of section 3(a)(11). Because that paragraph was read aloud practically verbatim at a public meeting, you must release the letter in its entirety. You must also release the intra-office memorandum except for the final paragraph, which comes under the protection of section 3(a)(11).

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

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published open records decision. If you have questions about this ruling, please refer to OR90-004.

Yours very truly,
Open Government Section
of the Opinion Committee *SW*

Open Government Section
of the Opinion Committee
Approved by Sarah Woelk
Assistant Attorney General

SW/RWP/le

Ref.: ID# 8358

Enclosure: Marked Documents

cc: Glenda Barnes
322 Corydon
Huffman, Texas 77336