



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

March 15, 1990

Mr. Ron Hibbs
Interim Superintendent
Northwest I.S.D.
Rt. 1 Box 39-A
Justin, Texas 76247

OR90-101

Dear Mr. Hibbs:

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# 8359.

The Northwest Independent School District received an open records request for various school records. You state that you have released items number 2, 7, and 8, but you seek to withhold the remaining requested records. You raise none of the act's exceptions with regard to items number 1, 4, and 6. Therefore, this information is public and must be released.

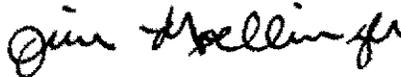
We have considered the exceptions you claimed for the remaining information you seek to withhold and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 294 (1981), resolves your request with regard to section 3(a)(14). Information tending to identify individual students, except for directory information, see 20 U.S.C. § 1232g(a)(5)(B), is confidential and may not be released. Consequently, you may not release items number 3 or 9. The records you submitted to this office as being responsive to the records requested in item number 10 should also be withheld in their entirety because this information also tends to identify individual students.

Finally, you may not withhold the records requested in item number 5 pursuant to section 3(a)(2). This exception applies only to public employees, not to applicants for employment. Open Records Decision No. 345 (1982) (copy enclosed). Further, the job applications at issue contain no information coming within the realm of common-law privacy. See Industrial Foundation of the South v. Texas Industrial Accident Board, 540 S.W.2d 668, 683-85 (Tex. 1976),

cert. denied, 430 U.S. 931 (1977). This information must be released.

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 OR90-101.

Yours very truly,



Jim Moellinger
Assistant Attorney General
Opinion Committee

JM/RWP/le

Ref.: ID# 8359, 8210

Enclosure: Open Records Decision No. 345

cc: Mr. David Wheeler
126 Greenhill Trail South
Trophy Club, Texas 76262