



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTOX  
ATTORNEY GENERAL

May 3, 1990

Mr. Ron Lindsey  
Commissioner  
Texas Department of  
Human Services  
P.O. Box 149030  
Austin, Texas 78714-9030

OR90-171

Dear Mr. Lindsey:

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# 8695.

You received a request for various information about eligibility workers under the supervision of a particular supervisor at two offices of the Department of Human Services. In conversation with this office, you indicated that you have released most of the information requested, but that you believe that the conference notes made by a supervisor during evaluative conferences with an employee are excepted from disclosure under section 3(a)(11).

We have considered the exception you claimed and have reviewed the documents at issue. Evaluative notes made by a supervisor in the course of his duties fall within the coverage of the Open Records Act. Open Records Decision No. 327 (1982). However, this office has held that such evaluations may be withheld from public disclosure under section 3(a)(11). See Open Records Decision No. 284 (1981) a copy of which is enclosed. For this reason, you may withhold the requested information.

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 OR90-171.

Yours very truly,

*David Newton*

David A. Newton  
Assistant Attorney General  
Opinion Committee

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Ref.: ID# 8695, 8718, 8760

Enclosure: Open Records Decision No. 284; 327

cc: Mr. Pete P. Gallego  
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