



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

May 8, 1990

Ms. Genevieve Stubbs
Assistant General Counsel
Office of General Counsel
The Texas A & M University System
300 System Administration Bldg.
College Station, Texas 77843-1116

OR90-176

Dear Ms. Stubbs:

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# 8717.

Texas A & M University received a request for various statistical data concerning student athletes' grades, graduation rates, and post-academic careers. You advise this office that the university does not maintain separate files of information on the grade point averages of athletes, their graduation rates, or the number of athletes who continue professionally in their sport. You inquire whether the university must comply with this request.

The Open Records Act does not require a governmental body to create or prepare new information. Attorney General Opinion JM-672 (1987); Open Records Decision Nos. 467 (1987); 452 (1986); 342 (1982); 87 (1975). Nor does the act require the preparation of data in the form requested by a member of the public. Open Records Decision No. 145 (1976). If the University does not possess the information requested, it cannot comply with the request. You may, however, wish to seek clarification of the request and advise the requestor of the type of documents available so that he may narrow his request. See Open Records Decision No. 87.

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 OR90-176.

Yours very truly,



David A. Newton
Assistant Attorney General
Opinion Committee

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Ref.: ID# 8717

cc: Mr. Dane Schiller
c/o The Daily Texan
P.O. Box D
Austin, Texas 78713