



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTOX  
ATTORNEY GENERAL

May 15, 1990

Mr. Roger Lee  
Attorney  
Gibson And Hotchkiss  
912 City National Building  
Wichita Falls, Texas 76301

OR90-188

Dear Mr. Lee:

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# 8681.

The Wichita Falls Independent School District received an open records request for "the daily attendance records at the public schools." You state, however, that the district does not create attendance records on a daily basis, although the attendance records are periodically compiled for "Average Daily Attendance Reasons."

The Open Records Act does not require a governmental body to create or prepare new information, Attorney General Opinion JM-672 (1987), nor to prepare information in the form requested by a member of the public. Open Records Decision No. 145 (1976). In this instance, your responsibility under the act is to advise the requestor of the types of documents that are available so that the request may be narrowed. Open Records Decision No. 87 (1975). In any case, you may not allow the requestor access to individual students' school records without the parent's written permission. 20 U.S.C. § 1232g(b)(1).

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 OR90-188.

Yours very truly,

*Susan Garrison*  
Susan Garrison  
Assistant Attorney General  
Opinion Committee

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SG/RWP/le

Ref.: ID# 8681

cc: Helen M. Williams  
Times and Record News  
P.O. Box 120  
Wichita Falls, Texas 76307