



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

August 7, 1990

Ms. Martha C. Wright
Attorney for Grand Prairie I.S.D.
P. O. Box 531777
Grand Prairie, Texas 75053-1777

OR90-362

Dear Ms. Wright:

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# 10127.

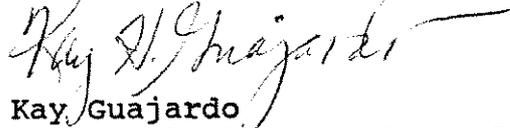
The Grand Prairie Independent School District received an open records request for all employment contracts for the district's superintendent of schools for the years 1985 through 1990, and for the "audit" of the superintendent that was delivered to the district during a particular time period. You contend that this information comes under the protection of section 3(a)(2) of the Open Records Act.

The test for section 3(a)(2) protection is the same as that for information protected by common-law privacy under section 3(a)(1): to be protected from required disclosure the information must contain highly intimate or embarrassing facts about a person's private affairs such that its release would be highly objectionable to a reasonable person and the information must be of no legitimate concern to the public. Hubert v. Harte-Hanks Texas Newspapers, Inc., 652 S.W.2d 546 (Tex. App. - Austin 1983, writ ref'd n.r.e.). We have reviewed the documents submitted to this office and have determined that the information at issue does not meet these tests. See, e.g., Open Records Decision No. 15 (1974) (copy enclosed); see also V.T.C.S. art. 6252-17a, §§ 6(1)-(3). Consequently, you must release 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 OR90-362.

Yours very truly,



Kay Guajardo
Assistant Attorney General
Opinion Committee

RWP/le

Ref.: ID# 10127
ID# 10256

Enclosure: Open Records Decision No. 15

cc: Michael A. Robertson
P.O. Box 532669
Grand Prairie, Texas 75053-2669