



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

August 20, 1990

Ms. Margaret O. Thompson
Legal Examiner
Office of Legal Services
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494

Mr. Michael Bucek
Attorney
Arlington Independent School District
1203 West Pioneer Parkway
Arlington, Texas 76013-6246

OR90-391

Dear Ms. Thompson and Mr. Bucek:

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 requests were assigned ID#'s 8562 and 8453.

The Texas Education Agency and the Arlington Independent School District both received a request for copies of all complaints about the special education services of the Arlington Independent School District over the past five years, and related information. You both seek to withhold the information from required public disclosure under sections 3(a)(1), 3(a)(14), and 14(e) of the Open Records Act.

We have considered the exceptions you claimed and have reviewed the documents at issue. Previous determinations of this office, Attorney General Opinion H-447 (1974); Open Records Decision Nos. 332 (1982); 294 (1981); 205 (1978), copies of which are enclosed, resolve your request. As the information sought identifies individual students, it is protected from disclosure under section 3(a)(14). The material that identifies students is inextricably intertwined with material that does not identify students and is not reasonably severable from it. For this reason, you may withhold the requested information in its entirety, Open Records Decision No. 393 (1983). As the information is

excepted under section 3(a)(14), we do not address the applicability of the other exceptions you cite.

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 OR90-391.

Yours very truly,

David Newton by JAM

David A. Newton
Assistant Attorney General
Opinion Committee

DAN/le

Ref.: ID# 8562, 8740, 8558, 8453, 8792, 8873, 8712, 8558

Enclosure: Open Records Decision No. 332, 294, 205;
Attorney General Opinion H-447

cc: Lisa Mule
Fort Worth Star-Telegram
P.O. Box 1088
Arlington, Texas 76013