



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

August 30, 1990

Mr. Richard Rafes
General Counsel
University of North Texas
Texas College of Osteopathic Medicine
P.O. Box 13426
Denton, Texas 76203-3426

OR90-422

Dear Mr. Rafes:

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# 9798.

The University of North Texas (the university) received a request from a former student's attorney for "any and all files on [the student] held by [the university president], the Graduate office, and the Dean of Students office." You contend that the requested records come under the protection of section 3(a)(3) of the Open Records Act and inquire if the student's right to inspect his own student records pursuant to the federal Family Educational Rights & Privacy Act, 20 U.S.C. § 1232g (FERPA), affects the release of these documents.

A previous determination of this office, Open Records Decision No. 431 (1985), a copy of which is enclosed, resolves your request. The Open Records Act requires that university students' education records be released in accordance with FERPA; section 3(a)(3) may not be applied to deny a student his right to inspect his own student records. The records submitted to this office for review are clearly "education records" as defined in FERPA. See 20 U.S.C. § 1232g(a)(4)(A). Although you must delete all references to other students contained in these and other of the student's records, the remaining information must be released to the requestor.

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

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published open records decision. If you have questions about this ruling, please refer to OR90-422.

Yours very truly,



Susan Garrison
Assistant Attorney General
Opinion Committee

SG/RWP/le

Ref.: ID# 9798

Enclosures: Open Records Decision No. 431

cc: Alli Stephens
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