



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTOX  
ATTORNEY GENERAL

September 4, 1990

Ms. JoAnn S. Wright  
Attorney for Fort Worth I.S.D.  
1800 City Center Tower II  
301 Commerce Street  
Fort Worth, Texas 76102-4118

OR90-424

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# 10254.

The Fort Worth Independent School District (the district) received an open records request for "access to all depositions, statements, or letters in school files pertaining to Diamond-Hill Jarvis administration made or written by teachers, faculty, parents, students, school board members and other school personnel" that were made during an administrative investigation of the school. You contend that the requested information may be withheld from the public in its entirety pursuant to section 3(a)(11), 3(a)(14), and the informer's privilege aspect of section 3(a)(1). We note, however, that the district refused to seek an open records decision from this office within ten calendar days after receiving the initial request or after the requestor's attorney repeatedly asked you to do so. The requested information is therefore deemed public, see V.T.C.S. art. 6252-17a, § 7(a), and must be released except for those portions that are deemed confidential by law. Consequently, section 3(a)(11) does not protect any of the requested information in this instance.

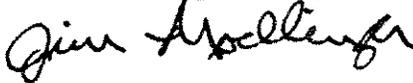
We have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 515 (1989), a copy of which is enclosed, resolves your request with regard to section 3(a)(1). The informer's privilege protects the identity of those individuals who report violations of the law to officials responsible for enforcing those laws. The allegations contained in the records at issue do not meet this test; consequently, the privilege is

inapplicable to these records. See also Open Records Decision Nos. 218, 191 (1978).

You are required to withhold, pursuant to section 3(a)(14), records that tend to identify particular students or students' parents. Open Records Decision No. 332 (1982). We have marked the documents and portions of documents that you must withhold pursuant to section 3(a)(14). You must, however, release all remaining 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 OR90-424.

Yours very truly,



Jim Moellinger  
Assistant Attorney General  
Opinion Committee

JM/RWP/le

Ref.: ID# 10254  
ID# 9733

Enclosures: Open Records Decision No. 515  
Marked documents

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