



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

February 5, 1991

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

OR91-076

Dear Mr. Rafes:

By letter of June 21, 1990, you asked whether certain information would be subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9917.

The Texas College of Osteopathic Medicine received a request for the minutes of a June 5, 1990, meeting between college administrators including their attorney on a personnel disciplinary matter. You informed us that no official minutes of the meeting exist. However, you located a draft memorandum, pages 10 and 11 of which provide information about the meeting. You sent us a second letter, dated June 28, 1990, stating that the draft memo has become finalized. You believe sections 3(a)(11), 3(a)(1), and 3(a)(7) of the Open Records Act apply to this information.

We will first address section 3(a)(7), the attorney-client privilege. The portion of the memorandum in question is a factual account of a committee meeting that identifies the committee members and other persons in attendance and summarizes their discussions. The memorandum that includes the requested information was written by university employees to the university attorneys to inform them of the handling of a disciplinary matter. In addition, a university attorney participated in the meeting in question. A previous determination of this office, Open Records Decision No. 574 (1990), resolves your request. For this reason, you may withhold 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

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published open records decision. If you have questions about this ruling, please refer to OR91-076.

Yours very truly,



Susan Garrison  
Acting Chairman  
Opinion Committee

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Ref.: ID# 9917, 9991

Enclosure: Open Records Decision No. 574