



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 2, 1991

Mr. Terry Harlow
Superintendent
Midway Independent School District
9101 Woodway Drive
Waco, Texas 76712

OR91-455

Dear Mr. Harlow:

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# 12279.

You have received a request for information relating to the April 12, 1991 election of 9th grade cheerleaders for Midway Independent School District. The information requested includes the criteria for selecting cheerleaders, results of voting, judge and teacher evaluations, voting procedures, and the name and address of each candidate elected cheerleader. Although you do not object to disclosing some of the information requested, you maintain that much of the information is excepted from required public disclosure under sections 3(a)(1) and 3(a)(14).

We have considered the exceptions you claimed and reviewed the documents submitted to us. Previous open records decisions resolve your request. *See generally* Open Records Decision No. 524 (1989). Section 3(a)(14) excepts from required public disclosure:

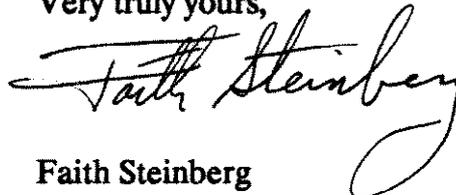
student records at educational institutions funded wholly, or in part, by state revenue; but such records shall be made available upon request of educational institution personnel, the student involved, that student's parent, legal guardian, or spouse or a

person conducting a child abuse investigation required
by Section 34.05, Family Code.

V.T.C.S. art. 6252-17a, 3(a)(14). You state that the results of student voting and the results of judge and teacher evaluations are part of student records. Because the requestor has given no indication that he represents educational institution personnel, the student involved, the student's parent, legal guardian, or spouse or a person conducting a child abuse investigation required by Section 34.05, Family Code, the requester does not fall within one of the exceptions to section 3(a)(14) which could be considered grounds for properly requesting student records pursuant to section 3(a)(14) of the Open Records Act. Accordingly, the requested information may be withheld under section 3(a)(14). Because we resolve this issue under section 3(a)(14), we need not address the applicability of section 3(a)(1).

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 OR91-455.

Very truly yours,



Faith Steinberg
Assistant Attorney General
Opinion Committee

FS/GK/lb

Enclosure: Open Records Decision No. 524

Ref.: ID# 12279

cc: Joseph M. Layman
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