



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

January 23, 1996

Mr. Dennis J. Eichelbaum
Schwartz & Eichelbaum, P.C.
General Counsel
Dallas Public Schools
3700 Ross Avenue Box 69
Dallas, Texas 75204-5491

OR96-0069

Dear Mr. Eichelbaum:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 37368.

The Dallas Independent School District ("DISD") received a request for numerous documents regarding the personnel files of certain teachers and certain policies and procedures of DISD and Lakewood Elementary School. The city has made available to the requestor most of the requested information but asserts that teacher evaluations are protected from required public disclosure under section 552.101 in conjunction with section 21.355 of the Texas Education Code. You have provided the teacher evaluations at issue for our review.

Section 552.101 excepts from required public disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 21.355 of the Education Code provides:

A document evaluating the performance of a teacher or administrator is confidential.

We have examined the information provided and conclude that you must withhold the requested teacher evaluations from public disclosure pursuant to section 552.101 in conjunction with section 21.355 of the Education Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd Reese", with a long horizontal flourish extending to the right.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/ch

Ref.: ID# 37368

Enclosures: Submitted documents

cc: Mr. Richard E. Finlan
1131 Clermont Avenue
Dallas, Texas 75223
(w/o enclosures)