



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 26, 1996

Mr. Ted M. Kerr
Kerr & Ward, L.L.P.
500 West Texas, Suite 1310
Midland, Texas 79701-4289

OR96-1295

Dear Mr. Kerr:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 100027.

The Midland Independent School District (the "school district"), which you represent, received a request for the fifth and sixth grade social studies curricula commonly known as "Celebrations." You claim that the requested information is excepted from disclosure under section 552.022 of the Government Code because these curricula are not in completed form.

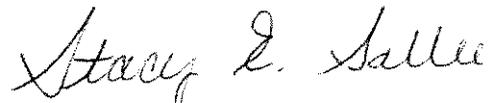
The exceptions to disclosure under section 552 of the Government Code are set out in sections 552.101 through 552.124. The school district has not claimed any recognized exception to disclosure. Although the school district has claimed that section 552.022 excepts the information from disclosure, we note that section 552.022 does not provide exceptions to disclosure, nor is it an exhaustive list of information that is subject to the provisions of chapter 552. It is merely an example of the types of information that are public information under the terms of the act. We enclose a copy of an Open Records Handbook for your information.

Section 552.301 of the Government Code requires that a governmental body claim an exception to disclosure within ten calendar days after receiving the request for information. As the school district did not claim an exception to disclosure, we conclude

that the school district may not withhold the information under chapter 552 of the Government Code. *See* Gov't Code § 552.302.¹

We are resolving this matter with an 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 should 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,



Stacy E. Sallee
Assistant Attorney General
Open Records Division

SES/ch

Ref.: ID# 100027

Enclosures: Submitted documents
Open Records Handbook

cc: Mr. Thomas J. Dragisic
4501 Ruidoso Court
Midland, Texas 79707-5340
(w/Open Records Handbook; w/o submitted documents)

¹Although you mention that the school board may want to copyright these materials, we do not see any reservation of copyright on the documents submitted to this office for our review. Therefore, we need not consider that argument at this time.