



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 6, 1998

Mr. Oscar G. Treviño  
Walsh, Anderson, Underwood, Schulze & Aldridge, P.C.  
P.O. Box 2156  
Austin, Texas 78768

OR98-0027

Dear Mr. Treviño:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 111866.

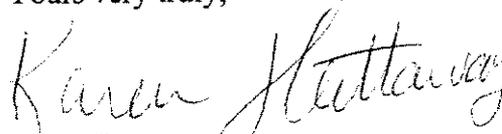
The Pecos-Barstow-Toyah Independent School District (the "school district"), which you represent, received a request for a copy of the tape of a grievance session which took place on October 9, 1997. You contend that the requested tape is confidential under section 551.104 of the Government Code.

Section 552.101 of the Government Code excepts from disclosure information deemed confidential by law. Section 551.104(c) of the Government Code provides that "[t]he certified agenda or tape of a closed meeting is available for public inspection and copying only under a court order issued under Subsection (b)(3)." Section 551.104(c) deems the certified tape of an executive session confidential. *See* Open Records Decision No. 495 (1988). You state that the requested tape is a tape of a closed session grievance conference before the school district's Board of Trustees. Thus, we conclude that the school district must withhold the tape from disclosure under section 552.101 of the Government Code as information made confidential by section 551.104(c) of the Government Code.

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 any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 111866

cc: Ms. Susie Combs  
1514 Vines  
Big Spring, Texas 79720