



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

February 2, 2010

Ms. Karla Schultz  
Walsh, Anderson, Brown, Aldridge & Gallegos, P.C.  
Attorney for Navasota Independent School District  
P.O. Box 2156  
Austin, Texas 78768

OR2010-01602

Dear Ms. Schultz:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 369561.

The Navasota Independent School District (the "district"), which you represent, received a request for four specified reports and an audio recording of a particular meeting. You state most of the requested information has been released. You claim the submitted information is privileged under rule 192.5 of the Texas Rules of Civil Procedure and rule 503 of the Texas Rules of Evidence. We have considered your arguments and reviewed the submitted information.

You inform us the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2008-10050 (2008). In that ruling, we found the district may withhold the information at issue under rule 192.5 of the Texas Rules of Civil Procedure. As you assert the law, facts, and circumstances on which the prior ruling was based have not changed, the district may continue to rely on that ruling as a previous determination and withhold the submitted information in accordance with Open Records Letter No. 2008-10050. See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or

is not excepted from disclosure). As our ruling is dispositive, we do not address your arguments against disclosure.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Matt Entsminger  
Assistant Attorney General  
Open Records Division

MRE/rl

Ref: ID# 369561

Enc. Submitted documents

c: Requestor  
(w/o enclosures)