



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 26, 2012

Ms. Leticia D. McGowan
School Attorney
Dallas Independent School District
3700 Ross Avenue
Dallas, Texas 75204

OR2012-11680

Dear Ms. McGowan:

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# 464591 (ORR# 11313).

The Dallas Independent School District (the "district") received a request for investigations involving two named district police officers and all e-mails pertaining to investigations of the named district police officers and all records involving a named assistant chief. You state the district will release some information to the requestor with redactions pursuant to Open Records Decision No. 684 (2009).¹ You claim the submitted information is excepted from disclosure under sections 552.101 and 552.102 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

You inform us the submitted information was the subject of a previous request for a ruling for information, as a result of which this office issued Open Records Letter No. 2011-18161 (2011). In that decision, we determined the district must withhold the victim, witness and other information related to the sexual harassment investigations we have marked under section 552.101 of the Government Code in conjunction with common-law privacy and the ruling in *Morales v. Ellen* and release the remaining information in the summaries. You state

¹Open Records Decision No. 684 is a previous determination issued by this office authorizing all governmental bodies to withhold certain categories of information without the necessity of requesting an attorney general decision. See ORD 684 at 14-15.

the law, facts, or circumstances on which the prior ruling was based have not changed. Thus, we conclude the district must continue to rely on Open Records Letter No. 2011-18161 as a previous determination and withhold or release the previously ruled upon information in accordance with that prior ruling. *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 a prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from 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, 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,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/ag

Ref: ID# 464591

Enc. Submitted documents

c: Requestor
(w/o enclosures)