



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 12, 2013

Mr. David P. Hansen
Counsel for the Mission Consolidated Independent School District
Eichelbaum Wardell Hansen Powell & Mehl, P.C.
4201 West Parmer Lane, Suite A-100
Austin, Texas 78727

OR2013-19704

Dear Mr. Hansen:

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# 505628.

The Mission Consolidated Independent School District (the "district"), which you represent, received a request for the minutes to board meetings and all public information regarding the search for Superintendent in May, June, and July of 2013. You state you have released some of the requested information. You further state you are withholding certified agendas and tapes of closed meetings held by the district's board of trustees pursuant to the previous determination in Open Records Decision No. 684 (2009).¹ You claim the submitted information is excepted from disclosure under sections 552.101 and 552.126 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

The responsive documents consist of the minutes of a public meeting of the district's board of trustees. As you acknowledge, the minutes of a governmental body's public meetings are specifically made public under the Open Meetings Act. Gov't Code § 551.022 (minutes and

¹This office issued Open Records Decision No. 684, a previous determination to all governmental bodies, which authorizes the withholding of ten categories of information, including a certified agenda and tape of a closed meeting under section 552.101 in conjunction with section 551.104 of the Government Code, without the necessity of requesting an attorney general decision.

tape recordings of open meetings are public records and shall be available for public inspection and copying upon request). Although you seek to withhold this information under sections 552.101 and 552.126 of the Government Code, information that is specifically made public by statute may not be withheld from the public under any of the exceptions to public disclosure under chapter 552 of the Government Code. *See* Open Records Decision Nos. 623 at 3 (1994), 525 at 3 (1989). Accordingly, the district must release the submitted information pursuant to section 551.022 of the Government Code.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Alia K. Plasencia-Bishop
Assistant Attorney General
Open Records Division

AKPB/eb

Ref: ID# 505628

Enc. Submitted documents

c: Requestor
(w/o enclosures)