



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 24, 2014

Ms. Melody K. Smith  
Counsel for Cedar Hill Independent School District  
Strasburger & Price, L.L.P.  
901 Main Street, Suite 4400  
Dallas, Texas 75202

OR2014-04878

Dear Ms. Smith:

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# 517603.

The Cedar Hill Independent School District (the "district"), which you represent, received a request for all complaints, including specified types of complaints, filed against a named district employee during a specified time period and information pertaining to a specified investigation, including e-mails between three specified district employees, summaries, reports, notes, and statements. Although the district takes no position as to whether the requested information is excepted under the Act, you state release of this information may implicate the privacy interests of a third party. Accordingly, you state, and provide documentation showing, you notified the third party of the request for information and of her right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information.

Initially, we note you have only submitted an e-mail between employees and a summary of the investigation. We assume, to the extent any information responsive to the remainder of the request existed on the date the district received the request, the district has released it. If the district has not released any such information, it must do so at this time. *See* Gov't

Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

We note an interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. *See* Gov't Code § 552.305(d)(2)(B). As of the date of this letter, we have not received comments from the third party explaining why her information should not be released. Further, we have no basis to conclude the third party has a privacy interest in the submitted information. *See* Open Records Decision Nos. 600 at 4 (1992) (constitutional privacy), 611 at 1 (1992) (common-law privacy). Accordingly, the district may not withhold any of the submitted information on the basis of any privacy interest the third party may have in it. As no exceptions to disclosure have been raised, the submitted information must be released.

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](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,



Paige Thompson  
Assistant Attorney General  
Open Records Division

PT/dls

Ref: ID# 517603

Enc. Submitted documents

c: Requestor  
(w/o enclosures)