



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 3, 2016

Ms. Maria Miller
Public Information Officer
Dallas County Community College District
1601 South Lamar Street, Suite 208
Dallas, Texas 75215-1816

OR2016-02639

Dear Ms. Miller:

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# 602710.

The Dallas County Community College (the "department") received a request for information pertaining to RFP# 12200. Although the district takes no position as to whether the submitted information is excepted under the Act, the district informs us release of this information may implicate the proprietary interests of Inceptia, HigherEDGE, Total Business Solutions ("TBS"), Educational Credit Management Corporation ("ECMC"), EdFinancial Services ("EdFinancial"), American Student Assistance ("ASA"), and USA Funds ("USA"). Accordingly, the district states, and provides documentation showing, it notified these third parties of the request for information and of their right to submit arguments to this office as to why the information at issue 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 note the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2016-01054 (2016). In Open Records Letter No. 2016-01054, we concluded that the district may withhold the information we marked under section 552.104(a) of the Government Code. The district must withhold EdFinancial's customer information under section 552.110(a), provided EdFinancial has not

published the information on its website. The district must withhold the pricing information of HigherEDGE, ASA, and EdFinancial, which we marked, under section 552.110(b) of the Government Code. The district must withhold the insurance policy numbers in the remaining information under section 552.136. The district must release the remaining information; however, any information protected by copyright may only be released in accordance with copyright law. There is no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, we conclude the department must continue to rely on Open Records Letter No. 2016-01054 as a previous determination and withhold or release the identical information in accordance with that 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 prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes 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.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,



Jesse Harvey
Assistant Attorney General
Open Records Division

JH/eb

Ref: ID# 602710

c: Requestor