



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 2, 2016

Ms. Vanessa A. Gonzalez
Bickerstaff, Heath, Delgado, Acosta, L.L.P.
Counsel for Baylor University
3711 South MoPac Expressway
Building One Suite 300
Austin, Texas 78746

OR2016-17268

Dear Ms. Gonzalez:

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# 620856.

The Baylor University Police Department (the "department"), which you represent, received a request for a specified policy. The department claims the submitted information is not subject to the Act. In the alternative, the department claims the submitted information is exempted from disclosure under section 552.108 of the Government Code. We have considered the department's arguments and reviewed the submitted information.

The 84th Legislature added section 51.212(f) of the Education Code, which reads as follows:

(f) A campus police department of a private institution of higher education is a law enforcement agency and a governmental body for purposes of [the Act], only with respect to information relating solely to law enforcement activities.

Educ. Code § 51.212(f). We understand the department is a campus police department of a private institution of higher education. *See id.* §§ 51.212(e), 61.003. Thus, the department is a governmental body for purposes of the Act, and information maintained by the department is subject to disclosure under the Act, to the extent such information relates

solely to law enforcement activities. The department states the submitted responsive information is maintained by the department. However, the department argues the responsive department policy is administrative in nature and does not relate “solely to law enforcement activities.” Upon review, we agree the information at issue is administrative in nature and does not relate solely to law enforcement. *See id* § 51.212(f). Accordingly, we find the submitted responsive information is not subject to disclosure pursuant to section 51.212(f) of the Education Code, and need not be released to the requestor.¹

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,



Gerald A. Arismendez
Assistant Attorney General
Open Records Division

GAA/dm

Ref: ID# 620856

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address the department’s remaining argument against disclosure of the submitted information.