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WRITER'S DIRECT DIAL NUMBER:
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January 31, 1994

HAND DELIVERY

Ms. Madeline Johnson
Opinions Committee
Texas Attorney General
209 W. 14th Street, 8th Floor
Austin, TX 78711

Re: Austin ISD/Open Records Request

Dear Ms. Johnson:

Enclosed is a request for documents submitted by an attorney on behalf of four students of an Austin Independent School District middle school. Also enclosed are documents responsive to requests 4 and 5. AISD will provide copies of documents responsive to requests 1-3. I have received releases from the parents of all four students. Which of the documents must be disclosed to the parents as student records? Exception 3(a)(3) applies to all of the enclosed documents. The students' attorneys have threatened litigation repeatedly, and the litigation exception appears to apply. In addition, the AISD police department records are possibly within the section 3(a)(8) law enforcement exception. Finally, the personnel documents concerning Mr. Pittman may impact his privacy interests and be confidential pursuant to the section 3(a)(1) and 3(a)(2) exceptions. By copy of this letter, I have notified his attorney of this request.

Please advise me whether these documents may or must be withheld by AISD. Thank you for your assistance.

Sincerely yours,

James R. Raup
James R. Raup

JRR/dlm

Enclosures

cc: Dr. Ann Fields
Ms. Vella M. Fink
Mr. Jay Brim

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FILE # M124396-94

I.D.# 24396

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RO-691

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January 18, 1994

David Van Os
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RECEIVED

JAN 21 1994

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AISD SUPERINTENDENT'S OFFICE

VIA CERTIFIED MAIL RETURN
RECEIPT REQUESTED NO. Z 743 216 928

Dr. Terry N. Bishop
Superintendent
Austin Independent School District
1111 West 6th Street
Austin, Texas 78703-5399

RE: Application for access to information

Dear Dr. Bishop:

I am one of the attorneys representing [REDACTED] on whose behalf I write. They seek access to information related to their complaints of sexual harassment by Bedichek Middle School Principal Shelly Pittman. Specifically, pursuant to the Texas Open Records Act, Texas Government Code section 552.001 et seq. (Vernon Supp. 1994), [REDACTED] request that you produce the following information:

- 1) All policies and guidelines relating to the conduct of principals and to their interaction with students;
- 2) All policies and procedures relating to complaints of sex discrimination, sexual harassment or sexual abuse made against officers or employees of the District;
- 3) All policies, guidelines and procedures relating to Title IX of the Education Act Amendments of 1972, 20 U.S.C. sections 1681-1688;
- 4) All records or documents relating to complaints of [REDACTED] about Bedichek Middle School Principal Shelly Pittman, including, but not limited to, any report about their complaints and all statements or notes taken in connection with any investigation of their complaints; and
- 5) All records or documents relating to action taken by the Austin Independent School District in response to the complaints of [REDACTED]

January 18, 1994

Page 2

If you require signed releases from the individuals on whose behalf this request is made or from their parents, please let me know and I will provide them to you. Also, if you are not the appropriate person to whom this request should be directed, please forward this letter to the appropriate officer or custodian of public records.

Thank you for your attention to this matter.

Very truly yours,

Vella M. Fink
Vella M. Fink

0-5948