



# THE ATTORNEY GENERAL OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL  
ATTORNEY GENERAL

September 6, 1977

Honorable Charles A. LeMaistre  
Chancellor  
The University of Texas System  
601 Colorado  
Austin, Texas 78701

Open Records Decision No.174  
  
Re: Whether a committee  
report relating to possible  
reduction in personnel is  
public under the Open Records  
Act.

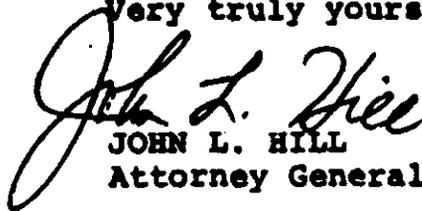
Dear Dr. LeMaistre:

A request has been made by the Daily Texan for the report of the Committee on Financial Exigency, a faculty-administrative committee appointed by the President of the University of Texas of the Permian Basin at Odessa. The committee was appointed to make recommendations concerning reduction of personnel and positions. The University contends that the committee report is excepted from required public disclosure as an intra-agency memorandum making policy recommendations concerning personnel under sections 3(a)(2) and 3(a)(11) of article 6252-17a, V.T.C.S., the Texas Open Records Act.

The report is the type of recommendation concerning policy matters intended to be excepted as an intra-agency memorandum under section 3(a)(11). Attorney General Opinion H-436 (1974); Open Records Decision Nos. 128 (1976); 86 (1975); 20 (1974). Since it deals with evaluation of identifiable personnel, section 3(a)(2) is also applicable. Open Records Decision Nos. 168 (1977); 129 (1976); 117, 110, 90, 86, 82, 81 (1975); 20 (1974). The factual information contained in this report is incidental to and so intertwined with the evaluations and recommendations that we do not believe it is reasonably severable. See Open Records Decision No. 110 (1975).

It is our decision that the report requested is excepted from required public disclosure under sections 3(a)(11) and 3(a)(2).

Very truly yours,

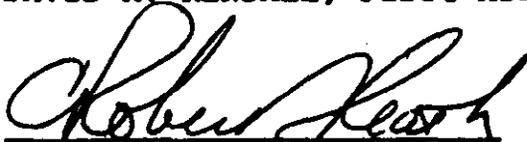


JOHN L. HILL  
Attorney General of Texas

APPROVED:



DAVID M. KENDALL, First Assistant



C. ROBERT HEATH, Chairman  
Opinion Committee

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