



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

August 22, 1990

Mr. Ray F. Martens
President
Concordia Lutheran College
3400 Interstate 35 North
Austin, Texas 78705-2799

OR90-395

Dear Mr. Martens::

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9543.

Concordia Lutheran College of Austin received an open records request for copies of the minutes of its board of regents. You inquire whether the college is required to comply with this request under the Open Records Act.

A previous determination of this office, Open Records Decision No. 510 (1988), a copy of which is enclosed, resolves your request. Because the college is owned and maintained by The Lutheran Church--Missouri Synod, it is not deemed a "governmental body" as defined by section 2 of the Open Records Act and consequently any records the college may hold are not subject to the act. We do not, however, address whether the requestors of the minutes have any other special right of access to these records.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-395.

Yours very truly,

A handwritten signature in cursive script that reads "Jim Moellinger".

Jim Moellinger
Assistant Attorney General
Opinion Committee

JM/RWP/le

Ref.: ID# 9543
ID# 9487

Enclosures: Open Records Decision No. 510

cc: Thomas E. Petersen
Trinity Lutheran Church
1207 West 45th Street
Austin, Texas 78756