



Ms. Ylise Janssen
Staff Attorney
Corpus Christi Independent School District
P.O. Box 110
Corpus Christi, Texas 78403-0110

OR99-2984

Dear Ms. Janssen:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 128502.

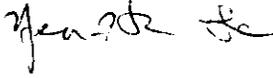
The Corpus Christi Independent School District (the "school district") received a request for a transcript of a grievance hearing pertaining to a former middle school principal. You assert that the requested transcript from the executive session is exempt from disclosure under sections 552.101 and 552.102 of the Government Code. You have submitted a representative sample of the transcript.¹

Section 552.101 of the Government Code excepts from disclosure information deemed confidential by law. Section 551.104(c) of the Government Code provides that "[t]he certified agenda or tape of a closed meeting is available for public inspection and copying *only under a court order issued under Subsection (b)(3).*" (Emphasis added.) Thus, such information cannot be released to a member of the public in response to an open records request. *See* Open Records Decision No. 495 (1988). You state that the proceeding, which pertained to a personnel matter, was held in "closed session and not open to the public." Gov't Code § 551.074. We note that a portion of the transcript is from the public portion of the meeting; this part of the transcript must be released. Assuming the remainder of the transcript is from the tape recording of the executive session, Gov't Code § 551.103, the school district must withhold the remainder of the requested transcript from public disclosure under section 552.101 of the Government Code in conjunction with section 551.104(c) of the Government Code.

¹In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Sincerely,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/ljp

Ref.: ID# 128502

cc: Mr. Jonathan Osborne
Corpus Christi Caller-Times
P.O. Box 9136
Corpus Christi, Texas 78489
(w/o enclosures)