



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 26, 2009

Ms. Laura C. Rodriguez  
Walsh, Anderson, Brown, Aldridge, & Gallegos, P.C.  
Attorney for Northside Independent School District  
P.O. Box 460606  
San Antonio, Texas 78246

OR2009-03895

Dear Ms. Rodriguez:

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# 338983.

The Northside Independent School District (the "district"), which you represent, requests protection of specific categories of information previously determined to be protected under state and/or federal law. You claim that the submitted information is excepted from disclosure under sections 552.101, 552.102, 552.117, 552.130, and 552.136 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.301(a) of the Government Code provides the following:

A governmental body that receives a written request for information that it wishes to withhold from public disclosure and that it considers to be within one of the exceptions under Subchapter C must ask for a decision from the attorney general about whether the information is within that exception if there has not been a previous determination about whether the information falls within one of the exceptions.

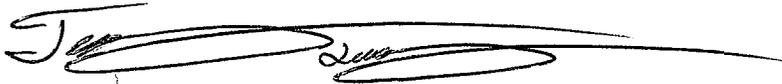
Gov't Code § 552.301(a). The duty to request a decision from this office as to whether information may properly be withheld under the Act does not arise until the governmental

body receives a written request for the information. *See id.* In this instance, the district does not seek a ruling from our office with respect to a specific request for information. Consequently, the requirements of section 552.301 of the Government Code have not been triggered, and this office has no jurisdiction to rule on whether the submitted information is subject to disclosure under the Act. As our ruling is dispositive, we do not address your arguments for exception of the submitted information.

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.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), 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 must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Travis Tidmore  
Assistant Attorney General  
Open Records Division

TT/eb

Ref: ID# 338983

Enc. Submitted documents

cc: Requestor  
(w/o enclosures)