



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 5, 2013

Mr. John A. Kazen
Counsel for the Laredo Independent School District
Kazen, Meurer & Pérez, L.L.P.
P.O. Box 6237
Laredo, Texas 78042

OR2013-19279

Dear Mr. Kazen:

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# 504697.

The Laredo Independent School District (the "district"), which you represent, received a request for a specified investigative report. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. You further state release of the submitted information may implicate the privacy interests of third parties. Accordingly, you notified the third parties of the request for information and of their right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.304 (interested party may submit written comments regarding availability of requested information). As of the date of this letter, we have not received comments from any third party explaining why the submitted information should not be released. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses the doctrine of common-law privacy, which protects information that is (1) highly intimate or embarrassing, the publication of which would be highly objectionable to a reasonable person and (2) not of legitimate concern to the public. *Indus. Found. v. Tex. Indus. Accident Bd.*, 540 S.W.2d 668, 685 (Tex. 1976). To

demonstrate the applicability of common-law privacy, both prongs of this test must be satisfied. *Id.* at 681-82. Types of information considered intimate and embarrassing by the Texas Supreme Court are delineated in *Industrial Foundation*. *Id.* at 683. You generally assert the submitted information is confidential under the doctrine of common-law privacy. Upon review, we find the submitted information is not intimate or embarrassing and is of legitimate public interest. Therefore, none of the submitted information may be withheld under section 552.101 on the basis of common-law privacy. As you raise no further exceptions to disclosure, the submitted information must be released.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Tim Neal
Assistant Attorney General
Open Records Division

TN/tch

Ref: ID# 504697

Enc. Submitted documents

c: Requestor
(w/o enclosures)