



February 13, 2015

Ms. Susan K. Bohn
Assistant Superintendent and General Counsel
Lake Travis Independent School District
3322 Ranch Road 620 South
Austin, Texas 78738

OR2015-02912

Dear Ms. Bohn:

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# 556450 (ORR nos. 120814-10F9/DL 5135, 120814-10FF/DL 5141).

The Lake Travis Independent School District (the "district") received two requests from the same requestor for information pertaining to specified employment positions. The district states it has made some of the requested information available to the requestor, but claims the submitted information is excepted from disclosure under section 552.102 of the Government Code. We have considered the claimed exception and reviewed the submitted representative sample of information.¹

Initially, we note you have redacted the dates of birth of district employees from the submitted documents. However, you do not assert, nor does our review of our records indicate, the district has been authorized to withhold any such information without seeking a ruling from this office. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2000). Because we can discern the nature of the information that has been redacted, being deprived of it does not inhibit our ability to make a ruling in this instance. Nevertheless, be

¹We assume 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 those records contain substantially different types of information than that submitted to this office. We also note the district did not comply with the requirements of section 552.301 of the Government Code. *See* Gov't Code § 552.301. Nevertheless, section 552.102 of the Government Code is a mandatory exception that can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301. *See id.* §§ 552.007, .302. Thus, we will consider the district's claim under that section.

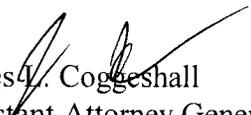
advised a failure to provide this office with requested information generally deprives us of the ability to determine whether information may be withheld and leaves this office with no alternative other than ordering that the redacted information be released. *See* Gov't Code §§ 552.301(e)(1)(D) (governmental body must provide this office with copy of "specific information requested"), .302.

Section 552.102(b) of the Government Code excepts from disclosure "a transcript from an institution of higher education maintained in the personnel file of a professional public school employee[.]" *Id.* § 552.102(b). However, this exception further provides, "the degree obtained or the curriculum on a transcript in the personnel file of the employee" are not excepted from disclosure. *Id.* Therefore, with the exception of the information that reveals the employees' names, degrees obtained, and courses taken, which the district must release, the district must withhold the submitted educational transcripts in their entirety under section 552.102(b) of the Government Code. *See* Open Records Decision No. 526 (1989) (addressing statutory predecessor).

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,


James W. Coggeshall
Assistant Attorney General
Open Records Division

JLC/cbz

Ref: ID# 556450

Enc. Submitted documents

c: Requestor
(w/o enclosures)