



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 9, 2015

Ms. Vanessa A. Gonzalez
Counsel for Baylor University
Bickerstaff Heath Delgado Acosta, LLP
3711 South MoPac Expressway, Building One, Suite 300
Austin, Texas 78746

OR2015-25824

Dear Ms. Gonzalez:

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# 589870.

The Baylor University Police Department (the "department") received a request for all open records requests over a specified time period. You claim the submitted information is not subject to release under the Act. We have considered the raised argument and reviewed the submitted information.

Initially, as you acknowledge, the 84th Legislature added section 51.212(f) of the Education Code, which reads as follows:

(f) A campus police department of a private institution of higher education is a law enforcement agency and a governmental body for purposes of [the Act], only with respect to information relating solely to law enforcement activities.

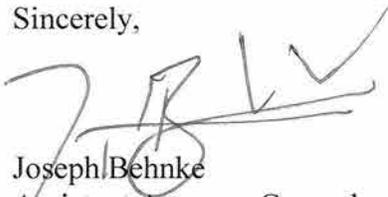
Educ. Code § 51.212(f). You indicate the department is a campus police department of a private institution of higher education. *See id.* §§ 51.212(e), 61.003. Thus, you acknowledge the department is a governmental body for purposes of the Act, and information maintained by the department is subject to disclosure under the Act, to the extent such information relates solely to law enforcement activities. You indicate the submitted information is

maintained by the department. However, you argue the information at issue does not relate “solely to law enforcement activities.” Rather, you argue the information relates to the “administrative functions” of the department. Upon review, we agree the information is administrative in nature and does not relate solely to law enforcement. *See id.* Accordingly, we find the submitted information is not subject to disclosure pursuant to section 51.212(f), and need not be released to the requestor.

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,

A handwritten signature in black ink, appearing to read 'Joseph Behnke', with a checkmark to the right.

Joseph Behnke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 589870

Enc. Submitted documents

c: Requestor
(w/o enclosures)