



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

April 22, 2016

Ms. Maria Miller  
Legal Assistant  
Dallas County Community College District  
1601 South Lamar Street, Suite 208  
Dallas, Texas 75215-1816

OR2016-09062

Dear Ms. Miller:

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# 607507.

The Dallas County Community College District (the "district") received a request for a report from the Command Consultant Group. The district claims the requested information is excepted from disclosure under sections 552.111 and 552.116 of the Government Code. We have considered the claimed exceptions and reviewed the submitted information.

Section 552.116 of the Government Code provides as follows:

- (a) An audit working paper of an audit of the state auditor or the auditor of a state agency, an institution of higher education as defined by Section 61.003, Education Code, a county, a municipality, a school district, a hospital district, or a joint board operating under Section 22.074, Transportation Code, including any audit relating to the criminal history background check of a public school employee, is excepted from the requirements of Section 552.021. If information in an audit working paper

is also maintained in another record, that other record is not excepted from the requirements of Section 552.021 by this section.

(b) In this section:

(1) 'Audit' means an audit authorized or required by a statute of this state or the United States, the charter or an ordinance of a municipality, an order of the commissioners court of a county, the bylaws adopted by or other action of the governing board of a hospital district, a resolution or other action of a board of trustees of a school district, including an audit by the district relating to the criminal history background check of a public school employee, or a resolution or other action of a joint board described by Subsection (a) and includes an investigation.

(2) 'Audit working paper' includes all information, documentary or otherwise, prepared or maintained in conducting an audit or preparing an audit report, including:

(A) intra-agency and interagency communications; and

(B) drafts of the audit report or portions of those drafts.

Gov't Code § 552.116. The district informs us the submitted information consists of a draft of a report that was prepared by a consultant of the district in the course of conducting an audit of the district. We note section 37.108 of the Education Code mandates a public junior college district conduct a safety and security audit of the district's facilities at least once every three years. *See* Educ. Code § 37.108(b). The district states the submitted information pertains to a safety and security audit report. Based on these representations and our review, we agree the submitted information constitutes audit working papers. Accordingly, the district may withhold the submitted information pursuant to section 552.116 of the Government Code.<sup>1</sup>

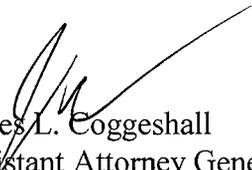
This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

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<sup>1</sup>As our ruling is dispositive, we do not address the remaining argument of the district to withhold this information.

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](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 L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/bhf

Ref: ID# 607507

Enc. Submitted documents

c: Requestor  
(w/o enclosures)