



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

September 25, 2015

Ms. Debra L. Goetz  
Counsel for the McAllen Independent School District  
Atlas, Hall & Rodriguez, L.L.P.  
P.O. Box 3725  
McAllen, Texas 78502-3725

OR2015-20168

Dear Ms. Goetz:

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# 580853.

The McAllen Independent School District (the "district"), which you represent, received a request for the college transcripts, certifications, job titles, current contracts, and current salaries for eight named district employees. You state you are releasing some information to the requestor. You claim the submitted information is excepted from disclosure under section 552.102 of the Government Code. We have considered the exception you claim and reviewed the submitted information. We have also received and considered comments from the requestor.<sup>1</sup> *See* Gov't Code § 552.304 (permitting interested third party to submit to attorney general reasons why requested information should or should not be released).

Section 552.102(b) of the Government Code excepts from public disclosure "a transcript from an institution of higher education maintained in the personnel file of a professional public school employee[.]" *Id.* § 552.102(b). This exception further provides, however, that "the degree obtained or the curriculum on a transcript in the personnel file of the employee"

---

<sup>1</sup>Although the requestor asserts the district did not comply with section 552.301(e) of the Government Code, because section 552.102 of the Government Code can provide a compelling reason to overcome the presumption of openness, we will consider the applicability of this exception to the submitted information. *See* Gov't Code § 552.301 (b), (e); *see also id.* §§ 552.007, .302, .352.

are not excepted from disclosure. *Id.*; see also Open Records Decision No. 526 (1989). Thus, with the exception of the employees' names, courses taken, and degrees obtained, which must be released, the district must withhold the submitted college transcripts pursuant to section 552.102(b) of the Government Code.

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](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 cursive script that reads "Abigail T. Adams".

Abigail T. Adams  
Assistant Attorney General  
Open Records Division

ATA/akg

Ref: ID# 580853

Enc. Submitted documents

c: Requestor  
(w/o enclosures)