



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 19, 2017

Ms. Carrie Galatas
General Counsel
Conroe Independent School District
3205 West Davis
Conroe, Texas 77304-2098

OR2017-16133

Dear Ms. Galatas:

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# 666661.

The Conroe Independent School District (the "district") received a request for information pertaining to the dates and times a named individual visited a specified district school. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from public disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses section 38.022 of the Education Code, which provides, in part:

(a) A school district may require a person who enters a district campus to display the person's driver's license or another form of identification containing the person's photograph issued by a governmental entity.

(b) A school district may establish an electronic database for the purpose of storing information concerning visitors to district campuses. Information stored in the electronic database may be used only for the purpose of school district security and may not be sold or otherwise disseminated to a third party for any purpose.

Educ. Code § 38.022(a)-(b). We note section 38.022 is applicable only to information stored in the district's electronic database created for the purpose of storing information concerning visitors to district campuses. *Id.* § 38.022(b). The district informs us the submitted information "is stored in the [d]istrict's electronic database that records visitors to its schools as part of the [d]istrict's safety and security plan." Based on the district's representation and our review, we agree the submitted information is confidential pursuant to section 38.022(b) of the Education Code. Therefore, the district must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 38.022(b) of the Education 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, 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 'Meredith L. Coffman', with a long horizontal flourish extending to the right.

Meredith L. Coffman
Assistant Attorney General
Open Records Division

MLC/tdw

Ref: ID# 666661

Enc. Submitted documents

c: Requestor
(w/o enclosures)