



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 14, 2019

Ms. Amber K. King
General Counsel
Lake Travis Independent School District
3322 Ranch Road 620 South
Austin, Texas 78738

OR2019-01059

Dear Ms. King:

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# 745938.

The Lake Travis Independent School District (the "district") received a request for information pertaining to a specified request for proposals. You state the district has released some information. Although you take no position as to whether the submitted information is excepted under the Act, you state release of the submitted information may implicate the proprietary interests of Aeries Student Information System ("Aeries"); Focus School Software ("Focus"); Prologic Technology Systems, Inc. ("Prologic"); Skyward, Inc. ("Skyward"); Texas Computer Cooperative ("TCC"); and Tyler Technologies, Inc. ("Tyler"). Accordingly, you state, and provide documentation showing, the district notified these third parties of the request for information and of their rights to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have received comments from Focus, Prologic, Skyward, and TCC. We have considered the submitted arguments and reviewed the submitted information.

Initially, we note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2018-25762

(2018). In that ruling, we determined, in pertinent part: (1) the district may withhold the information pertaining to Prologic, Skyward, and TCC in its entirety, and the information pertaining to Focus we marked and indicated under section 552.104(a) of the Government Code; (2) the district must withhold the information we marked pertaining to Tyler under section 552.110(b) of the Government Code; (3) the district must withhold the insurance policy numbers in the remaining information under section 552.136 of the Government Code; and (4) the district must release the remaining information in accordance with copyright law. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, we conclude the district may rely on Open Records Letter No. 2018-25762 as a previous determination and withhold or release the identical information in accordance with that ruling.¹ See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,



Deborah Southerland
Attorney
Open Records Division

DS/eb

¹As our ruling is dispositive, we need not address the remaining arguments against disclosure of this information.

Ref: ID# 745938

Enc. Submitted documents

c: Requestor
(w/o enclosures)

6 Third Parties
(w/o enclosures)