



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

July 30, 2019

Mr. Ty Taylor  
Counsel for Texas Christian University  
McDonald Sanders  
777 Main Street, Suite 1300  
Fort Worth, Texas 76102

OR2019-20882

Dear Mr. Taylor:

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# 777232 (OR77723219).

The Texas Christian University Police Department (the "department") received a request for a specified incident report. You assert the submitted information is not subject to the Act. Alternatively, you claim the submitted information is excepted from disclosure under sections 552.101, and 552.108 of the Government Code. We have considered your arguments and reviewed the submitted information.

Section 51.212(f) of the Education Code 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). We understand the department is a campus police department of a private institution of higher education. *See id.* §§ 51.212(e), 61.003. Thus, 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 submitted information consists of administrative information. You explain the information at issue was created during an investigation of alleged violations of the College of Education’s guidelines for appropriate contact between teachers and students. Upon review, we agree the submitted information is administrative in nature and does not relate solely to law enforcement activities. *See id* § 51.212(f). Accordingly, we find the submitted information is not subject to disclosure pursuant to section 51.212(f) of the Education Code, and the department is not required to release it.<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.

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,



Sean McCormick  
Attorney  
Open Records Division

SMC/eb

Ref: ID# 777232

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup>As we are able to make this determination, we need not address your remaining argument against disclosure of this information.