



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

November 20, 2019

Ms. Lindsey K. Rattikin  
Assistant University Counsel  
Southern Methodist University  
P.O. Box 750132  
Dallas, Texas 75275-0132

OR2019-32774

Dear Ms. Rattikin:

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# 797737.

The Southern Methodist University Police Department (the "department") received a request for a specified incident report. You claim the submitted information is not subject to the Act. In the alternative, you claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the submitted arguments and reviewed the submitted information.

Section 51.212(f) of the Education Code reads as follows:

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 state the submitted report is maintained by the department. However, you represent the report at issue was not created for a law

enforcement purpose. Rather, you argue the information at issue consists of administrative information that we understand was reported to the University Conduct Office for student code and honor code violations. You explain the report at issue is an "Administrative Information Report" and is not related to any law enforcement activity by the department. You state the report at issue was provided to the department solely as administrative information as it relates to an individual affiliated with Southern Methodist University. Upon review, we agree the information at issue 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 need not be released to the requestor.<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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,



Meredith L. Coffman  
Assistant Attorney General  
Open Records Division

MLC/mo

Ref: ID# 797737

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup> As our ruling is dispositive, we need not address the department's remaining argument against disclosure of the remaining requested information.