



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 22, 2020

Mr. W. Montgomery Meitler
Senior Counsel
Office of Legal Services
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494

OR2020-18274

Dear Mr. Meitler:

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# 837673 (ORR# 42472).

The Texas Education Agency ("TEA") received a request for e-mails between two named individuals for a specified period of time. TEA claims the submitted information is excepted from disclosure under section 552.101 of the Government Code. TEA also states, and provides documentation showing, it notified the Texas General Land Office (the "GLO") of TEA's receipt of the request for information and of its right to submit arguments to this office as to why the requested information should not be released. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have considered the claimed exception and reviewed the submitted information.

Section 552.143(a) of the Government Code provides, "[a]ll information prepared or provided by a private investment fund and held by a governmental body that is not listed in Section 552.0225(b) is confidential and excepted from the requirements of Section 552.021." Gov't Code § 552.143(a). TEA states the information at issue consists of information provided by a private investment fund and is not subject to section 552.0225(b). Based on these representations, we find TEA must withhold the information we have marked under section 552.143(a) of the Government Code. However, we find TEA has

failed to demonstrate the applicability of section 552.143 to the remaining information. TEA must release the remaining information.

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,

James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/be

Ref: ID# 837673

Enc. Submitted documents

c: Requestors
(w/o enclosures)