



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 13, 2020

Ms. April Griffin
Public Information Coordinator and Assistant General Counsel
Texas Higher Education Coordinating Board
P.O. Box 12788
Austin, Texas 78711-2788

OR2020-20271

Dear Ms. Griffin:

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# 839005.

The Texas Higher Education Coordinating Board (the "board") received a request for certain documents pertaining to specified topics during a defined period of time. 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 interests of Texas Southern University ("TSU"). *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have received comments from TSU. We have reviewed the submitted arguments and reviewed the submitted information.

TSU argues against the release of information that was not submitted by the board. This ruling does not address information that was not submitted by the board and is limited to the information the board has submitted for our review. *See id.* § 552.301(e)(1)(D) (governmental body requesting decision from attorney general must submit copy of specific information requested). Further, TSU raises no exceptions to disclosure of any portion of the submitted information. Thus, the board may not withhold the submitted information based on TSU's interests. Accordingly, the board must release the submitted 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,

Kimbell Kesling
Assistant Attorney General
Open Records Division

KK/be

Ref: ID# 839005

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)