



Office of Public Information

August 23, 2018

Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, TX 78711

Re: Public Information Request 18169_40_Dolan

Dear Open Records Division:

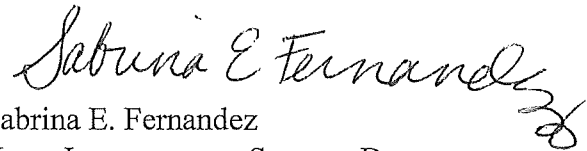
The Katy Independent School District received a written request for information from Sean Dolan, a copy of which is attached and labeled "A." In general, the request seeks all payroll deductions to the Legacy Investors Program as of March 31, 2018. The responsive information is attached as Exhibit "B." The District seeks a ruling on withholding from public disclosure and asserts that the doctrine of common-law privacy applies to protect the information sought.

The ten business day deadline for this letter, pursuant to Tex. Gov't Code Sec. 552.301(b) is August 27, 2018.

The District believes the requested information would be excepted from disclosure under the general confidentiality exception of Sec. 552.101. The doctrine of common law privacy generally excepts a public employee's participation in a voluntary investment program or deferred compensation plan. Open Records Decision No. 545 at 3-5 (1990). Such participation and withholding is not considered a financial transaction between the individual and the governmental body and, therefore, information regarding such participation is considered intimate and of no legitimate public interest. *Id.* Mr. Dolan has requested on the total amount withheld from district employee's own funds for participation in the Katy ISD Education Foundation's Legacy Investors program. Katy ISD Education Foundation is a 501(c)(3) organization, separate and distinct from the public school district. Mr. Dolan's request is akin to asking how much specific district employees donate to United Way, which certainly would not be made public. Moreover, participating employees have been told that "individual giving amounts will remain confidential." Exhibit "C." It would be highly objectionable for employees, who made donations with the belief that their giving amounts would be confidential, to have this amount disclosed to the public. Personal giving amounts of individual employees are of no legitimate concern to the public. The District hereby requests a determination that it can withhold the information requested by Mr. Dolan under Sec. 552.101 in conjunction with common-law privacy.

By my signature below, I certify that the request for information was first received on August 12, 2018. If you have any questions, or need additional information or documentation, please contact me at (281) 396-7883.

Sincerely,

A handwritten signature in cursive script that reads "Sabrina E. Fernandez". The signature is written in black ink and includes a stylized flourish at the end.

Sabrina E. Fernandez
KATY INDEPENDENT SCHOOL DISTRICT
PUBLIC INFORMATION SPECIALIST

cc: Sean Dolan via email to sean@abetterlegacy.com and sean@pushfire.com (excluding Exhibit "B")

Fernandez, Sabrina E (GEN COUNSL)

From: NoReply@katyisd.org
Sent: Sunday, August 12, 2018 5:07 PM
To: PublicRecords
Subject: PIR Form #18169 was submitted

A new PIR Form was submitted on 8/12/2018 5:07:28 PM. [Click here to view the new request.](#)

Senders Name: Sean Dolan

Company Name:

Senders Email Address: Sean@abetterlegacy.com.

Preferred Phone: (281) 750-6672

Information Requested: I need the amounts deducted from each payroll check for all members of the Legacy Investors program as of 3/31/2018

ABOUT US TEACHER GRANTS IMPACT INVESTORS EVENTS WAYS TO GIVE

Katy ISD Legacy Investors

Employee Payroll Deduction for Katy ISD Staff

As an employee of Katy ISD, you hold the key to the success of the district. When you join the Education Foundation as a Legacy Investor through Payroll Deduction, you will directly support continually making Katy ISD classrooms extraordinary.

The Legacy Investors group is exclusive to Katy ISD teachers and staff and an important part of the Education Foundation Investor Family. For as little as \$5 per pay-period, you will be recognized as an equal partner in guaranteeing financial support to the Education Foundation's active investment in Katy ISD classrooms. Legacy Investors are part of a crowd-funding opportunity where the number of givers is more important than the amount of any individual gift. Participation is completely optional and individual giving amounts will remain confidential.

This program can be joined and cancelled at any time during the year through MyKaty in as little as 5 minutes. Donations of any amount are deeply appreciated and will be administered by Katy ISD. With your monthly support, the Education Foundation can continually empower teachers to make a difference to thousands of students across the district.

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How to Enroll

Enroll in the Katy ISD Employee Payroll Deduction Program here.

Contact

6301 South Stadi
Katy, TX 77494
Contact: Janet Th
281-396-6031
foundation@katy



Katy ISD Education Foundation

P.O. Box 159 Katy, TX 77494 | 281.396.6031 | Login

The Katy ISD Education Foundation is registered as a 501(c)(3) non-profit organization. Contributions are tax-deductible

