



Office of Public Information

October 4, 2019

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

VIA CMRRR: 70190700000041428719

Re: Public Information Act Disclosure Determination Request PIR #19169_40_Dolan

Dear Sir or Madam:

This "10-Day Letter" supersedes the previously submitted letter related to the above referenced public information request received by Katy Independent School District (referred to herein as "Katy ISD" or the "District"). On August 18, 2019, Katy Independent School District received a request for information (the "Request") from Mr. Sean Dolan. The District sent a request for narrowing/clarification to the requestor on August 30, 2019. The requestor responded to the District's request for narrowing/clarification on September 9, 2019. The District then sent a cost estimate in accordance with Section 552.2615 of the Texas Government Code, and additionally requested a deposit of the estimated charges in accordance with Section 552.263(a) of the Texas Government Code. The requestor made such deposit on September 20, 2019. Because the requestor made the required deposit within the required time, the request is considered received on the date the payment was made, September 20, 2019, pursuant to Section 552.263(e) of the Texas Government Code.

Katy ISD believes some information sought may not be subject to public disclosure or may be private under current law. As such, the District wishes to obtain a ruling on withholding from public disclosure such information and asserts Texas Government Code Sections 552.101 (Confidentiality under Specific Statutes and Judicial Decision), 552.102 (Confidentiality of Certain Personnel Information), 552.103 (Litigation Exception), 552.107 (Certain Legal Matters), 552.108 (Certain Law Enforcement, Corrections, and Prosecutorial Information), 552.111 (Agency Memoranda), 552.130 (Motor Vehicle Records) or other law or other rules requiring confidentiality that apply to information sought in the Request. The District seeks the opinion of the Office of the Attorney General regarding whether it may withhold certain information sought in the Request and respectfully requests your determination as to whether the exception to required disclosure asserted by Katy ISD applies to such information sought in the Request.

As noted, the Requests were received by the District on August 18, 2019. The District submitted a request for clarification to the requestor on August 30, 2019. The requestor responded to the District's request for clarification on September 9, 2019. The District sent a cost estimate and required a deposit, which the Requestor made on September 20, 2019. According to Texas Government Code Section 552.263(e), the request is considered received on September 20, 2019,



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the date the payment was made. Katy ISD asserts that this request is timely under the Texas Government Code.

Responsive documents not at issue in this request for an opinion from the Office of the Attorney General will be made available to the requestor. If any responsive documents being produced to the requestor or provided to the Office of the Attorney General for an opinion are protected by FERPA, those documents will be withheld or, as appropriate, redacted in the documents provided.

Pursuant to Texas Government Code Section 552.301(e), not later than the fifteenth business day after the day of receiving the Request, the District will submit to the Attorney General written comments stating the reasons why the stated exceptions apply that would allow the information to be withheld and labeled copies of the specific information requested that Katy ISD seeks to withhold. The District respectfully requests that the office of the Attorney General advise Katy ISD on the District's duty of release of any of the documents or portions of documents so submitted.

By copy of this letter, I am hereby notifying the requestor of the District's request for opinion from the office of the Attorney General.

Thank you for your attention in this matter.

Sincerely,

Kevin Christiansen
STAFF ATTORNEY
KATY INDEPENDENT SCHOOL DISTRICT



Katy Independent School District

Office of Public Information

Mr. Sean Dolan

VIA EMAIL: SEAN@ABETTERLEGACY.COM