

August 3, 2026

Sent Vial Email Only

Texas Scorecard

highered@texasscorecard.com

Re: Request for Open Records Ruling
UNT Public Information Request No. 1550

Dear Texas Scorecard:

On July 27, 2026, and in accordance with section 552.301(d) of the Texas Government Code, you were notified that the System was seeking an open records ruling concerning whether certain information you requested is subject to public disclosure under the Texas Public Information Act. A copy of our brief in support of an Open Records Division ruling, without attachments, is enclosed. The Open Records Division will inform you when it issues its decision.

Pursuant to section 552.221(d) of the Texas Government Code, we certify that the information not subject to our request for an open records ruling will be made available by August 17, 2026.

Sincerely,

Alice Hawes

Alice Hawes
Public Information Coordinator

Enclosure

cc: Attorney General of Texas
Open Records Division

August 3, 2026

Sent Via OAG's PIA Electronic Filing System

Honorable Ken Paxton
Attorney General of Texas
ATTN: Open Records Division
P.O. Box 12548
Austin, Texas 78711-2548

Re: Request for Open Records Ruling
UNT Public Information Request No. 1550

Dear General Paxton:

On July 13, 2026, the University of North Texas System Public Information Program ("System") received a request for communications in the possession of the president of the University of North Texas related to the interim Vice President and Provost of Academic Affairs over a specified period. *See* Enclosure 1. On July 27, 2026, the System notified the Open Records Division that it was seeking a ruling concerning whether certain information responsive to the request is excepted from public disclosure under sections 552.101, 552.107 and 552.111 of the Texas Government Code (the "Code"). *See* Enclosure 2. This letter explains why the System believes why section 552.111 applies.¹

The requestor will be provided a copy of this brief in accordance with section 552.301(d) of the Code. *See* Enclosure 3. Information responsive to this request, which is not excepted from disclosure under previous open records decisions and is not the subject of this request for a ruling, will be made available to the requestor.

Section 552.111 (Agency Memoranda)

Section 552.111 excepts from disclosure interagency or intraagency memoranda or letters that would not be available by law to a party in litigation with the agency. This exception, which incorporates memoranda consisting of advice, opinion or recommendations on policymaking matters of the governmental body, is intended to protect advice and opinions on policy matters and to encourage frank and open discussion within a governmental agency in connection with its decision-making processes. *See* Open Records Decision No. 615 at 5 (1993); *see also Austin v. City of San Antonio*, 630 S.W.2d 391, 394 (Tex. App.--San Antonio 1982, writ ref'd n.r.e.).

¹ Exceptions 552.101 and 552.107 are withdrawn.

Further, section 552.111 does not protect facts and written observations of facts and events that are severable from advice, opinions, and recommendations. *Arlington Indep. Sch. Dist. v. Tex. Attorney Gen.*, 37 S.W.3d 152 (Tex. App.—Austin 2001, no pet.); see ORD 615 at 5. But if factual information is so inextricably intertwined with material involving advice, opinion, or recommendation as to make severance of the factual data impractical, the factual information also may be withheld under section 552.111. See Open Records Decision No. 313 at 3 (1982).

In addition to protecting documents that reflect the deliberative process of governmental bodies, the Attorney General consistently has recognized that “a preliminary draft of a document that is intended for public release in its final form necessarily represents the drafter's advice, opinion, and recommendation with regard to the form and content of the final document, so as to be excepted from disclosure under section 552.111.” See OR2007-14112 at 2. In ORD No. 559, the Attorney General opined that “a preliminary draft of a document that is intended for release in a final form necessarily represents the advice, opinion, and recommendation of the drafter as to the form and content of the final document.” See Open Records Decision No. 559 (1990).

Information responsive to this request includes

See Representative Sample B. The System represents that Representative Samples B is representative of information that was released to the public. Accordingly, the marked language is excepted from disclosure by section 552.111.

Please contact me at (940) 565-4118 or renaldo.stowers@untsystem.edu if you have any questions regarding this correspondence.

Respectfully,



Renaldo L. Stowers
Deputy General Counsel

Enclosures

cc: Requestor (without enclosures and redacted)