

**DRAFT STATEMENT
AUSTIN INDEPENDENT SCHOOL DISTRICT**

JUNE 29, 2009

Beginning in June 2009, with the hiring of an executive search firm, the Board of Trustees of the Austin Independent School District engaged in a nationwide search for a new superintendent to replace Dr. Pat Forgione, who retired after 10 years of service with the District. The search process was highly successful, and concluded with the Board's selection of a new superintendent, Dr. Meria Carstarphen, who officially begins work on July 1, 2009.

During the search process, there were several requests made, pursuant to the *Texas Public Information Act*, for documents related to the on-going conduct of the AISD search. Many of the documents requested were promptly provided to the requestors, including the *Austin American-Statesman*, while others that the District believed the law protected from disclosure, were withheld and first provided to the Attorney General's Office for review. Recently, the Attorney General issued his opinion, directing the disclosure of certain documents and other information that the District believes the law exempts from disclosure—specifically, documents containing information that would identify the unsuccessful candidates and their references. To release this information would not only be a violation of state law, in the District's opinion, but it would also severely impact superintendent search processes for this District, and for other school boards across the state. Potential candidates will be discouraged from applying if the fact that they have applied becomes public information, and thus have the potential to compromise their working relationship in their current districts. This could well prevent Texas school districts from being able to attract the very best candidates from around the nation.

Thus, with respect for the Attorney General, upon whose countless opinions the District relies, in this particular case, the District will utilize its statutory right of appeal, and will seek judicial review to prevent the release of certain information that it believes is protected by law. By this action, the Austin School District seeks to preserve its ability, and that of other school districts in Texas, to be able to conduct superintendent searches that will attract the maximum number of good candidates. This will help ensure that Texas school districts retain their ability to select the very best superintendents for their students.

###