THEODORE R. KULONGOSKI
ATTORNEY GENERAL

THOMAS A. BALMER
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
1162 Court Street NE
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400
TDD: (503) 378-5938

February 11, 1993

Daniel J. Stotter
Attorney at Law
259 East 5th St., Suite 200
Eugene, OR 97401

Re: Petition for Public Records Disclosure Order:
Department of Higher Education, University of Oregon

Dear Mr. Stotter:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, on behalf of your client, Doug Norlen, which we received on February 5, 1993, asks the Attorney General to direct the University of Oregon to make available "copies of his own transcripts from the educational institutions that he previously attended, copies of which are on file with the University of Oregon's Office of Admissions." For the reasons that follow, we respectfully deny your petition.

Your petition states that the University Admissions Office denied your client copies of the transcripts in question on February 3, 1993. Our inquiries indicate that the University has not denied such a request. The Admissions Officer, James Buck, informs us that his office has no record of Mr. Norlen's having been denied his transcripts. In fact, the Admissions Office does not have those transcripts. When Mr. Norlen matriculated as a graduate student, the records relevant to his admission were transferred to the Registrar's Office. This would have occurred in about September 1992. Those records may be

requested from the Registrar, 217 Oregon Hall, University of Oregon, Eugene, OR 97403. See OAR 571-20-075(1)(d).

Absent a denial by the University of a request for the records, the Attorney General has no jurisdiction to order disclosure. See ORS 192.450. Accordingly, we deny your petition as premature.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

ESH:jpl/JAA00A92

CC: Herb Chereck, Registrar, University of Oregon
James Buck, Admissions Officer, University of Oregon
Jerry Casby, Assistant Attorney General