



August 19, 1999

Ms. Belinda R. Perkins  
Assistant General Counsel  
Teacher Retirement System of Texas  
1000 Red River Street  
Austin, Texas 78701-2698

OR99-2349

Dear Ms. Perkins:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 127797.

The Teacher Retirement System of Texas (the "system") received a request for certain information. You claim that you have either released most of the information or are trying to clarify the requestor's request for information. However, the requestor also requested the "[n]ame, address, telephone, fax, cellular, pager, email, etc. for each of [the system's] board members." You claim that some of this information is excepted from disclosure under section 552.117 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.117 of the Government Code excepts from required public disclosure the home addresses, telephone numbers, social security numbers, or information revealing whether a public employee has family members when the public employees request that this information be kept confidential under section 552.024. Therefore, section 552.117 requires you to withhold the specified information of a current or former employee or official who requested that this information be kept confidential under section 552.024. *See* Open Records Decision Nos. 622 (1994), 455 (1987). You may not, however, withhold the information of a current or former employee who made the request for confidentiality under section 552.024 after this request for information was made. Whether a particular piece of information is public must be determined at the time the request for it is made. Open Records Decision No. 530 at 5 (1989).

If the official has elected to not allow public access to this information in accordance with the procedures of section 552.024 of the Government Code, we believe that the system must

withhold this information from required public disclosure pursuant to section 552.117. You submitted a list of board members and their personal information, in addition to forms completed by board members indicating whether they wished to keep confidential the specific personal information. It appears that you only seek to withhold certain officials' home addresses and home phone numbers. Thus, you must withhold only the official's home address and home telephone number if the official so indicated in writing prior to the request for information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Sue M. Lee  
Assistant Attorney General  
Open Records Division

SML\nc

Ref: ID# 127797

encl: Submitted documents

cc: Mr. Stephen N. Lisson  
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